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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at www.sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system–

Title		Division	Chapter	Rule
3	CSR	10-	4	.115
Department	<i>Code of State Regulations</i>	Agency Division	General area regulated	Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is www.sos.mo.gov/adrules/csr/csr

The *Register* address is www.sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo 2016.

EXECUTIVE ORDER
19-10

WHEREAS, the severe weather that began on March 11, 2019, created a condition of distress and hazards to the safety and welfare of the citizens of the State of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

WHEREAS, Executive Order 19-05 was issued on March 21, 2019, declaring a State of Emergency within the State of Missouri; and

WHEREAS, Executive Order 19-06 was issued on March 28, 2019, authorizing the Director of the Department of Natural Resources to waive or suspend temporarily the operation of statutory or administrative rules or regulations in order to expedite the cleanup and recovery process; and

WHEREAS, Executive Order 19-06 was set to expire on April 30, 2019, unless extended in whole or in part; and

WHEREAS, Executive Order 19-07 was issued on April 30, 2019, extending Executive Order 19-06 through June 30, 2019, for the purpose of continuing cleanup efforts; and

WHEREAS, several communities in the state continue to clear debris resulting from the severe weather.

NOW THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and Laws of the State of Missouri, do hereby extend Executive Order 19-06 through August 31, 2019, for the purpose of continuing cleanup efforts in affected Missouri communities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 13th day of June, 2019.



Michael L. Parson

Governor

ATTEST:

John R. Ashcroft

Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.434 Deer: Landowner Privileges. The commission proposes to amend section (1) add a new subsection (1)(A), re-letter subsequent subsections, amend new subsections (1)(B) and (1)(C), amend new paragraphs (1)(C)1. and (1)(C)2., add new subsection (1)(D), and amend section (2) of this rule.

PURPOSE: This amendment reinstates the requirement for landowners to register their property to receive no-cost landowner or reduced-cost nonresident landowner deer hunting permits.

(1) *[Resident landowners as outlined in the Fall Deer &*

Turkey Hunting Regulations and Information booklet can obtain no-cost deer hunting permits from any permit vendor.] Resident and nonresident landowners as defined in 3 CSR 10-20.805 may obtain landowner deer hunting permits from any permit vendor, but only after application to and approval by the department. Landowner permits may be obtained only in accordance with this rule.

(A) Resident and nonresident landowners may apply for approval to obtain landowner deer hunting permits on a form provided by the department. This application shall include the applicant's name, date of birth, domicile address, phone number, conservation identification number, e-mail, property acreage, landowner type, type of corporate ownership (if applicable), and parcel identification for the qualifying property. All applicants must submit an individual application. A new application for approval to obtain landowner deer hunting permits must be submitted at least once every three (3) years or at any time when there is a change to any information required on the current application. Approval of applications received less than (60) sixty days prior to any deer hunting season cannot be guaranteed. In addition to the application required by this rule, submission of proof of eligibility to receive landowner permits may also be required by the department at any time. Failure to submit satisfactory proof of eligibility at the request of the department shall be sufficient cause for denial of an application or withdrawal of approval to obtain landowner deer hunting permits.

[(A)](B) [Those with five (5) or more continuous acres can each receive] Approved resident landowners may obtain the following permits at no-cost: one (1) Resident Landowner Firearms Any-Deer Hunting Permit, one (1) Resident Landowner Archer's Hunting Permit, and, if property is in a county in which Archery Antlerless Deer Hunting Permits can be used, two (2) Resident Landowner Archery Antlerless Deer Hunting Permits.

[(B)](C) In addition to the permits listed in subsection (1) [(A)](B), [those] approved resident landowners with seventy-five (75) or more acres located in a single county or at least seventy-five (75) continuous acres bisected by a county boundary [can receive] may obtain a maximum of two (2) no-cost Resident Landowner Firearms Antlerless Deer Hunting Permits. Resident [L]andowners with at least seventy-five (75) acres in more than one (1) county must comply with landowner antlerless deer limits for each county.

1. **Approved** *[R]*/resident landowners of at least seventy-five (75) acres may *[receive]* obtain one (1) no-cost Landowner Antlerless Deer Hunting Permit[s] in the counties of: Andrew, Atchison, Butler, Carter, Dent, Douglas, Dunklin, Holt, Iron, Maries, Mississippi, New Madrid, Newton, Nodaway, Pemiscot, Phelps, Reynolds, Scott, Stoddard, Texas, Wayne, and Wright.

2. **Approved** *[R]*/resident landowners of at least seventy-five (75) acres may *[receive]* obtain two (2) no-cost Landowner Antlerless Deer Hunting Permits in the counties of: Adair, Audrain, Barry, Barton, Bates, Benton, Bollinger, Boone, Buchanan, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Cass, Cedar, Chariton, Christian, Clark, Clay, Clinton, Cole, Cooper, Crawford, Dade, Dallas, Daviess, DeKalb, Franklin, Gasconade, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Howard, Howell, Jackson, Jasper, Jefferson, Johnson, Knox, Laclede, Lafayette, Lawrence, Lewis, Lincoln, Linn, Livingston, Macon, Madison, Marion, McDonald, Mercer, Miller, Moniteau, Monroe, Montgomery, Morgan, Oregon, Osage, Ozark, Perry, Pettis, Pike, Platte, Polk, Pulaski, Putnam, Ralls, Randolph, Ray, Ripley, Shannon, St. Charles, St. Clair, St. Francois, St. Louis, Ste. Genevieve, Saline, Schuyler, Scotland, Shelby, Stone, Sullivan, Taney, Vernon, Warren, Washington, Webster, and Worth.

(D) **Approved nonresident landowners may purchase the following reduced-cost Nonresident Landowner Deer Hunting Permits: one (1) Nonresident Landowner Firearms Any-Deer**

Hunting Permit and one (1) Nonresident Landowner Archer's Hunting Permit.

(2) All landowner deer hunting permits are valid only on qualifying property. **Regardless of department approval to obtain or purchase landowner permits, all landowner deer hunting permits are valid only if the holder is a Resident or Nonresident Landowner as defined in 3 CSR 10-20.805 at the time the permit is used.**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the Code of State Regulations. Amended: Filed June 17, 2019.

PUBLIC COST: This proposed amendment will cost the Department of Conservation an estimated twelve thousand one hundred fifteen dollars (\$12,115) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC COST

- I. Department Title: Department of Conservation
Division Title: Division 10 – Conservation Commission
Chapter Title: Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

Rule Number and Name:	3 CSR 10-7.434 Deer: Landowner Privileges
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Conservation	\$12,115

III. WORKSHEET

[\$24,230 (overall total cost of vendor payments to modify the department's licensing platform system)] X [1/ 2] = \$12,115 (cost contribution of this rule to the overall total)

IV. ASSUMPTIONS

This is a one-time payment, no additional costs associated with this change are anticipated for the life of the rule. This rule's fiscal cost contributes to half of the overall total cost to modify the licensing platform for a landowner registry.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,
Limits

PROPOSED AMENDMENT

3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits. The commission proposes to amend section (4) and add subsections (4)(A)-(4)(F) to this rule.

PURPOSE: This amendment reinstates the requirement for landowners to register their property to receive no-cost landowner or reduced-cost nonresident landowner turkey hunting permits.

(4) [A resident landowner as defined in 3 CSR 10-20.805, possessing a landowner turkey hunting permit, may take and possess turkeys in accordance with this rule on his/her land shall report the turkeys through the Telecheck Harvest Reporting System as required in this rule.] Resident and nonresident landowners as defined in 3 CSR 10-20.805 may obtain landowner turkey hunting permits from any permit vendor, but only after application to and approval by the department. Landowner permits may be obtained only in accordance with this rule.

(A) Resident and nonresident landowners may apply for approval to obtain landowner turkey hunting permits on a form provided by the department. This application shall include the applicant's name, date of birth, domicile address, phone number, conservation identification number, e-mail, property acreage, landowner type, type of corporate ownership (if applicable), and parcel identification for the qualifying property. All applicants must submit an individual application. A new application for approval to obtain landowner turkey hunting permits must be submitted at least once every three (3) years or at any time when there is a change to any information required on the current application. Approval of applications received less than (60) sixty days prior to any turkey hunting season cannot be guaranteed. In addition to the application required by this rule, submission of proof of eligibility to receive landowner permits may also be required by the department at any time. Failure to submit satisfactory proof of eligibility at the request of the department shall be sufficient cause for denial of an application or withdrawal of approval to obtain landowner turkey hunting permits.

(B) Approved resident landowners may obtain the following permits at no-cost: one (1) Resident Spring Turkey Hunting Permit, one (1) Resident Landowner Archer's Hunting Permit, and one (1) Resident Fall Turkey Hunting Permit.

(C) Approved nonresident landowners may obtain the following permits at a reduced cost: one (1) Nonresident Landowner Spring Turkey Hunting Permit, one (1) Nonresident Landowner Archer's Hunting Permit, and one (1) Nonresident Landowner Fall Turkey Hunting Permit.

(D) All landowner turkey hunting permits are valid only on qualifying property. Regardless of department approval to obtain or purchase landowner permits, all landowner turkey hunting permits are valid only if the holder is a resident or nonresident landowner as defined in 3 CSR 10-20.805 at the time the permit is used.

(E) All landowners who take turkey on landowner permits may also purchase and fill other turkey hunting permits but must abide by seasons, limits, and restrictions.

(F) All landowners taking turkeys on a landowner turkey hunting permit shall report the turkeys through the Telecheck Harvest Reporting System as required in this rule.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo [2000] 2016. Original rule filed Dec. 15, 1975, effective Dec. 31, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed June 17, 2019.

PUBLIC COST: This proposed amendment will cost the Department of Conservation an estimated twelve thousand one hundred fifteen dollars (\$12,115) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

FISCAL NOTE
PUBLIC COST

- I. Department Title: Department of Conservation
Division Title: Division 10 – Conservation Commission
Chapter Title: Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

Rule Number and Name:	3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Conservation	\$12,115

III. WORKSHEET

[\$24,230 (overall total cost of vendor payments to modify the department's licensing platform system)] X [1/ 2] = \$12,115 (cost contribution of this rule to the overall total)

IV. ASSUMPTIONS

This is a one-time payment, no additional costs associated with this change are anticipated for the life of the rule. This rule's fiscal cost contributes to half of the overall total cost to modify the licensing platform for a landowner registry.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.180 Temporary Authorization Certificate of License to Teach. The State Board of Education (board) is proposing to remove the Publisher's Note due to incorporated by reference material being removed and to amend sections (2) through (16).

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule amends the requirements for a temporary authorization certificate of license to teach when the applicant is employed by a Missouri public school district or accredited nonpublic school.

[PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.]

(2) Applications for a Missouri temporary authorization certificate shall be submitted on the forms provided by the State Board of Education (board) *[and may be obtained by writing the Educator Certification Section at the Department of Elementary and Secondary Education (DESE) at PO Box 480, Jefferson City, MO 65102-0480 or downloading from the Internet].*

(3) An application is not considered officially filed with the board until it has been determined by the board or *[DESE] the Department of Elementary and Secondary Education (department)* staff to be complete and the application is submitted on the forms provided by the board, signed, and accompanied by two (2) full sets of fingerprints with the appropriate fee as set by the Missouri State Highway Patrol (Highway Patrol) and/or the Federal Bureau of Investigation (FBI), and any other applicable forms. All information should be received by the board within ninety (90) days of the date of the application.

(4) The applicant shall request that each state or United States territory regulatory entity in which a professional license including a certificate of license to teach is held or has ever been held to submit verification of certification or licensure directly to *[DESE] the department*, including information regarding any disciplinary action.

[[5] The employing Missouri public school district or accredited nonpublic school must develop a mentoring program to provide adequate support to the holder of the temporary authorization certificate to ensure proper transition into the classroom or administrative environment.]

*[[6]](5) The temporary authorization certificate will not include the areas of elementary education, grades 1-6; early childhood, birth-grade 3; early childhood special education, birth-grade 3; blind and *[partially sighted]* low vision, birth-grade 12; *[and/or]* deaf and *[hearing impaired]* hard of hearing, birth-grade 12[.]; **counselor, kindergarten-grade 8; and counselor, grades 7-12.** Applicants for the areas of driver's education, **grades 9-12[, English for speakers of other languages]; English language learners, kindergarten-***

grade 12[.]; gifted education, kindergarten-grade 12[, and]; special reading, kindergarten-grade 12; and math specialist, grades 1-6 must hold a **professional** teaching certificate of license to teach *[or must seek a certificate of license to teach in a stand-alone area].*

[(7)](6) The applicant for a temporary authorization certificate (excluding a temporary authorization administrator['s] and/or career education certificate) must comply with the following criteria:

(A) Possession of a baccalaureate or higher degree from *[an] a regionally* accredited college or university in the subject area to be taught or a closely related field or demonstration of exceptional experience in the subject area to be taught **or demonstrate completion of a minimum of twenty-four (24) semester hours in the content area from a regionally accredited college or university.**

1. Applicants for a special education temporary authorization certificate must possess a baccalaureate or higher degree from *[an] a regionally* accredited college or university;

(B) Possession of *[a] an overall* grade point average of *[2.5] 2.75* or higher on a 4.0 scale, *[both overall in the major area of study] and a content area grade point average of 3.00 or higher on a 4.0 scale;*

(C) Submission of a joint application verifying contracted employment with a Missouri public school district or accredited nonpublic school; and

(D) If this is the applicant's initial certificate of license to teach, documentation of a plan of study based upon required certification competencies incorporated in classes provided by an accredited college or university. If the applicant holds an initial Missouri professional or life certificate of license to teach and is seeking an additional certificate of license to teach, a transcript analysis from *[DESE] the department* based on the requirements set forth *[in the Compendium of Missouri Certification Requirements (compendium), which is incorporated by reference and made a part of this rule, must be submitted. Anyone interested in viewing or requesting a copy of the compendium, published by the Department of Elementary and Secondary Education (revised February 2012, may contact the Educator Certification Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions] by the board must be submitted.*

[[8]](7) The applicant for a temporary authorization administrator['s] certificate [for an administrator] must comply with the following criteria:

(A) Possession of a valid Missouri **professional** teaching certificate of license to teach;

(B) Completion of *[five (5)] three (3)* years teaching experience at the appropriate grade levels for which the temporary authorization administrator['s] certificate is sought in a public school or an accredited nonpublic school, or a combination of such schools;

(C) Possession of a master's or higher degree or currently enrolled in a state approved master's or higher degree program for the preparation of a school administrator; and

(D) Submission of a joint application verifying contracted employment with a Missouri public school district or accredited nonpublic school.

[[9]](8) The applicant for a temporary authorization career education certificate must comply with the following criteria:

(A) Verification of one (1) of the following:

1. Possession of a baccalaureate or higher degree from *[an] a regionally* accredited college or university in the subject area being taught and four thousand (4,000) hours of *[DESE-] department* approved, related occupational experience obtained within the most recent ten (10) years;

2. Possession of an associate's degree from *[an] a regionally*

accredited college or university in the subject area being taught and five thousand (5,000) hours of *[DESE-]* department approved, related occupational experience obtained within the most recent ten (10) years;

3. Six thousand (6,000) hours of *[DESE-]* department approved, related occupational experience obtained within the most recent ten (10) years; or

4. For the area of Junior Reserve Officer Training Corps (ROTC), *[a notarized]* an official letter from the appropriate branch of the armed services indicating that the applicant is an approved Junior ROTC instructor.

[(10)](9) The temporary authorization certificate (excluding a temporary authorization administrator/*'s*] and/*[or]* career education certificate) is valid for up to one (1) school year. It may be renewed annually for **three (3) subsequent years** by joint application from the certificate holder and the employing Missouri public school district or accredited nonpublic school upon demonstration of the following:

(A) Continued contracted employment with a Missouri public school district or accredited nonpublic school;

(B) Documentation of successful *[Performance Based Teacher Evaluation]* performance-based teacher evaluation based upon the Missouri Educator Evaluation System by the sponsoring Missouri public school district or accredited nonpublic school;

(C) Documentation of participation in a **two (2) year** mentoring program by the sponsoring Missouri public school district or accredited nonpublic school;

(D) *[Taking both the Praxis II assessments, one (1) content knowledge or specialty area assessment and two (2) principles of learning and teaching for the specific grade levels]* Achievement of a score equal to or in excess of the qualifying score on the required exit assessment(s) as promulgated by the rules adopted by the board *[if this is the certificate holder's first renewal. An individual who currently possesses a professional certificate of license to teach will be exempted from taking the principles of learning and teaching;*

1. Failure to achieve the Missouri qualifying score on either of these assessments shall be used by the certificate holder and a teacher preparation program to identify priority classes for further study]; and

(E) Completion of nine (9) semester hours of course work toward the professional certificate of license to teach in the area of assignment based upon the requirements set forth *[in the compendium] by the board.*

[(11)](10) The temporary authorization administrator/*'s*] certificate is valid for up to one (1) school year and may *[only]* be renewed annually for *[four (4)]* **three (3)** subsequent years. It may be renewed annually by joint application from the certificate holder and the employing Missouri public school district upon demonstration of the following:

(A) Continued contracted employment as an administrator with a Missouri public school district or accredited nonpublic school;

(B) Documentation of participation in a mentoring program by the sponsoring Missouri public school district or accredited nonpublic school; and

(C) Completion of nine (9) semester hours of course work toward the administrator/*'s*] certificate of license to teach. The appropriate hours will be determined by the state approved program for the preparation of an administrator/*'s*] certificate of license to teach as defined in 5 CSR 20-400.610.

[(12)](11) The temporary authorization career education certificate is valid for up to one (1) school year. It may be renewed annually for **three (3) subsequent years** by joint application from the certificate holder and the employing Missouri public school district or accredited nonpublic school upon demonstration of the following:

(A) Continued contracted employment with a Missouri public

school district or accredited nonpublic school;

(B) Documentation of successful *[Performance Based Teacher Evaluation]* performance-based teacher evaluation based upon the Missouri Educator Evaluation System by the sponsoring Missouri public school district or accredited nonpublic school;

(C) Documentation of participation in a **two (2) year** mentoring program by the sponsoring Missouri public school district or accredited nonpublic school; and

(D) Completion of six (6) semester hours of course work toward the career education certificate of license to teach in the area of assignment based upon the requirements *[set forth in the compendium and renewable with the completion of six (6) hours each year]* as defined in 5 CSR 20-400.660 through 5 CSR 20-400.680.

[(13)] The applicant shall be informed in writing of the decision regarding the application for a temporary authorization certificate.

(14) An individual may qualify for a professional classification certificate of license to teach upon documentation of the following:

(A) The certificate holder has been teaching under a temporary authorization certificate of license to teach for a minimum of two (2) years;

(B) Achievement of the Missouri qualifying score on both the Praxis II assessments, one (1) content knowledge or specialty area assessment and two (2) principles of learning and teaching for the specific grade levels as promulgated by the rules adopted by the board;

(C) Documentation of successful Performance Based Teacher Evaluation by the sponsoring Missouri public school district or accredited nonpublic school;

(D) Documentation of participation in a mentoring program by the sponsoring Missouri public school district or accredited nonpublic school; and

(E) Documentation of key course work in education as listed below:

1. Course work in education not to exceed twenty-four (24) credit hours for any temporary authorization certificate (excluding an administrator's and/or special education temporary certificate) to include competencies in:

- A. Psychology of the Exceptional Child;
- B. Behavioral Management Techniques;
- C. Measurement and Evaluation;
- D. Teaching Methods/Instructional Strategies;
- E. Methods of Teaching Reading at the appropriate level;

and

- F. Developmental Psychology at the appropriate level;

G. Beginning Teacher Assistance; or

2. Course work in education not to exceed twenty-nine (29) credit hours for a special education temporary authorization certificate to include competencies in:

- A. Psychology of the Exceptional Child;
- B. Behavioral Management Techniques or Supporting Challenging Behavior;
- C. Evaluation of Abilities and Achievement (to include Intelligence Testing);
- D. Introduction to Teaching Students in one (1) of the following areas:

- (I) Cross-Categorical Disabilities; or
- (II) Severely Developmentally Disabled;

E. Methods of Teaching Students in one (1) of the following areas:

- (I) Cross-Categorical Disabilities; or
- (II) Severely Developmentally Disabled;
- F. Methods of Teaching Reading;

(I) Reading Methods; and
 (II) Analysis and Correction of Reading Disabilities;
 G. Methods of Teaching Mathematics:
 (I) Mathematics Methods; and
 (II) Methods of Teaching Remedial Mathematics;
 H. Counseling Techniques or Collaboration with Family, School, and Community;
 I. Selection and use of assistive technology such as augmentative communication systems (only for the Severely Developmentally Disabled certificate of license to teach);
 J. Alternative formats for communication including: nonverbal communication systems (only for the Severely Developmentally Disabled certificate of license to teach); and
 K. Speech and Language Development of the Exceptional Child (only for the Severely Developmentally Disabled certificate of license to teach).]

(12) An individual may qualify for a professional classification certificate of license to teach upon documentation of the following:

(A) The certificate holder has been teaching under a temporary authorization certificate of license to teach for a minimum of two (2) years;

(B) Achievement of a score equal to or in excess of the qualifying score on the required exit assessment(s) as promulgated by the rules adopted by the board;

(C) Documentation of successful performance-based teacher evaluation based upon the Missouri Educator Evaluation System by the sponsoring Missouri public school district or accredited nonpublic school;

(D) Documentation of participation in a two (2) year mentoring program by the sponsoring Missouri public school district or accredited nonpublic school; and

(E) Documentation of completion of a minimum of twenty-four (24) semester hours in the following professional education course work (excluding an administrator and special education temporary certificate):

1. Psychology of the Exceptional Child;
2. Behavioral Management Techniques;
3. Assessment, Student Data, and Data-Based Decision-Making;
4. Instructional Strategies and Techniques in the Content Area Specialty;
5. Methods of Teaching Reading at the appropriate level;
6. Developmental Psychology at the appropriate level;
7. English Language Learning; and
8. Cultural Diversity; or

(F) Documentation of completion of a minimum of twenty-nine (29) semester hours in the following professional education course work for a special education temporary authorization certificate:

1. Psychology of the Exceptional Child;
2. Behavior Intervention Strategies;
3. Evaluation of Abilities and Achievement (to include Intelligence Testing);
4. Transition Processes, including Career Education or Career Readiness;
5. Methods of Teaching Students in one (1) of the following areas:

- A. Cross-Categorical Disabilities; or
- B. Severely Developmentally Disabled;
6. Methods of Teaching Reading;
7. Analysis and Correction of Reading Disabilities;
8. Methods of Teaching Mathematics;
9. Methods of Teaching Remedial Mathematics;
10. Counseling Techniques or Collaboration with Family, School, and Community;
11. Selection and use of assistive technology such as augmentative communication systems (only for the Severely

Developmentally Disabled certificate of license to teach);

12. Alternative formats for communication including: non-verbal communication systems (only for the Severely Developmentally Disabled certificate of license to teach);

13. Speech and Language Development of the Exceptional Child;

14. Psychological Development of the Child and Adolescent; and

15. Cultural Diversity.

[(15)](13) The holder of a temporary authorization certificate shall ensure that [DESE] the department has their current legal name and address.

(A) A holder of a temporary authorization certificate whose name is changed shall notify [DESE] the department within ninety (90) days of the name change and provide a copy of the appropriate documents verifying the name change.

(B) A holder of a temporary authorization certificate whose address has changed shall inform [DESE] the department in writing of the change within ninety (90) days of the effective date of the change.

[(16)] All Missouri public school districts are required to disclose the certification status of teachers holding a temporary authorization certificate by public notice in a form established by the board and consistent with applicable state laws and regulations.]

(14) The applicant shall be informed of the decision regarding the application for a temporary authorization certificate.

AUTHORITY: sections 161.092, 168.011, [168.021,] 168.071, and 168.081, [and 168.083,] RSMo [Supp. 2011, and section 168.011, RSMo 2000] 2016, and section 168.021, RSMo Supp. 2018. This rule previously filed as 5 CSR 80-800.260. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed June 13, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN: Dr. Paul Kainik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.610 Certification Requirements for Initial Administrator Certificate (School Leader Kindergarten-Grade 12). The State Board of Education is proposing to amend sections (1)-(7).

PURPOSE: This amendment is to update the Initial Administrator

Certificate and removes the issuance of an Initial Administrator Certificate for the area of Elementary Principal, Grades K-8; Middle School Principal, Grades 5-9; Secondary Principal, Grades 7-12. It also updates requirements for Career Education Director, Secondary/Adult and Special Education Director Grades K-12.

(1) An applicant for a Missouri Initial Administrator Certificate [(Career Education Director, Secondary/Adult)] (School Leader, Kindergarten-Grade 12) who possesses good moral character may be granted an Initial Administrator Certificate [(Career Education Director, Secondary/Adult)] (School Leader, Kindergarten-Grade 12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to [(Career Education Directors (Secondary/Adult)] Initial Administrator Certificate (School Leader, Kindergarten-Grade 12):

(A) Professional Requirements. An Initial Administrator Certificate [(Career Education Director, Secondary/Adult)] (School Leader, Kindergarten-Grade 12) valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent or professional[, or career education] Missouri teaching certificate of license to teach;

2. A minimum of [two (2)] three (3) years [career education or secondary/adult subject area] of classroom teaching experience approved by the Missouri Department of Elementary and Secondary Education (department);

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology/Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a regionally accredited college or university or the equivalent thereof from another educational leadership program meeting approval of the department; and

6. Recommendation for certification from the designated official of a regionally accredited college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of [elementary principals] building level administrators which includes at least [twenty-four (24)] twenty-six (26) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the [elementary] school. The approved graduate credit shall include:

A. [Specific courses (must be separate graduate courses of at least two (2) semester hours) Coursework must be at the graduate level and fall within the following five (5) domains—

(I) [Foundations of Educational Administration, including components of Career and Special Education] Visionary School Leadership;

(II) [Career Education Administration (including Adult Education)] Instructional School Leadership;

(III) [Career Education Curriculum] Managerial School Leadership;

(IV) [School Supervision] Relational School Leadership;

(V) [School Law] Innovative School Leadership; and

B. Knowledge and/or competency in each of the following areas:

(I) [Vision, Mission, and Goals] Visionary Leadership—

(a) [Developing and articulating a vision; and] Understands the importance of a vision and can demonstrate how it relates to the context and culture of the school community;

(b) [Implementing and stewarding a vision;]

Understands and can communicate the importance of all stakeholders knowing the collective mission, vision, and core values; and

(c) Understands and can demonstrate how multiple sources of data are connected to a mission, vision, core values, and the legal and ethical handling of information;

(II) [Teaching and Learning] Instructional Leadership—

(a) [Promoting a positive school culture] Understands standards and can demonstrate how they apply to horizontal and vertical alignment of local curricula and content areas;

(b) [Providing an effective instructional program] Understands a variety of research-based instructional practices and can demonstrate how to appropriately match learning content;

(c) [Designing comprehensive professional growth plans; and] Understands and engages in meaningful feedback related to teacher professional growth;

(d) [Data and assessment;] Understands and demonstrates how to assess student learning using a variety of formal and informal assessments;

(e) Engages in and demonstrates meaningful observation and feedback related to effective instructional practice;

(f) Understands and can demonstrate multiple strategies for analyzing data to inform the instructional process; and

(g) Understands the principles of adult learning and demonstrates how these help develop teacher capacity;

(III) [Management of Organizational Systems Skills] Managerial Leadership—

(a) [Managing the organizational structure] Knows and can demonstrate how a safe and functional school facility and grounds support student learning;

(b) [Leading personnel] Understands and can demonstrate how to evaluate routines, procedures, and schedules support the school environment;

(c) [Managing resources; and] Understands the tools and can demonstrate the skills required to determine key attributes of effective personnel and the legal and ethical decisions impacting evaluation;

(d) [Processes of effective evaluation of educators] Understands and can demonstrate the necessity of establishing and communicating clear expectations, guidelines, and procedures, which respect the rights of all staff and students;

(e) Understands and can demonstrate the role of observation, feedback, and intervention for improving or removing personnel;

(f) Is knowledgeable of and can reflectively evaluate and communicate legal and ethical requirements regarding personnel records and reports;

(g) Understands and can communicate the legalities of how a school budget works and the major sources of revenue available to support school goals and priorities; and

(h) Understands and can communicate how non-fiscal resources support school goals and priorities;

(IV) [Collaboration with Families and Stakeholders] Relational Leadership—

(a) [Collaborating with families and other community members] Knows how and why analysis of student demographics is used to determine the overall diversity of a school and can explain its impact on the teaching and learning process;

(b) [Responding to community interests and needs; and] Understands and can communicate the in-school and out-of-school strategies and resources available to support the welfare of each student;

(c) [Mobilizing community resources] Understands and can demonstrate how to build positive relationships in support of student learning and well-being;

(d) Understands and can demonstrate the components of building effective relationships with staff and cultivating ethical behaviors in others;

(e) Understands and can demonstrate how to develop a culture of support and respect among staff;

(f) Serves as a teacher leader and understands and demonstrates the importance of promoting teacher leadership;

(g) Understands and can communicate a variety of strategies and legal implications for building relationships with families; and

(h) Recognizes the importance of and can demonstrate how to build positive relationships with other community stakeholders;

[(V) *Ethics and Integrity*—

(a) *Personal and professional responsibilities; and*

[(VI)](V) [*Professional Development*] **Innovative Leadership**—

(a) [*Increase knowledge and skills based on best practices*] Recognizes and can apply the knowledge, skills, and best practices that support continuous professional growth;

(b) Understands and has the capacity to develop professional networks as a key element of professional growth;

(c) Understands the importance of reflection and demonstrates a commitment to ongoing learning;

(d) Understands and can demonstrate the importance of feedback for improving performance;

(e) Understands and can demonstrate how time management is a key factor for maintaining a focus on school priorities;

(f) Recognizes and can demonstrate that beliefs based on new knowledge and understandings are used as a catalyst for change; and

(g) Demonstrates flexibility by being willing to vary an approach when circumstances change, and models ethical personal conduct;

(B) **Field and Clinical Experiences** (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. [*Early Field Experience. The initial internship in career education administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.*] **Major Clinical Experience** (defined as an emphasis in either an elementary or secondary school placement). The major clinical experience in school leadership includes placements in which candidates have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The experience will provide the candidate with the opportunity to lead and direct specific activities. Candidates are active participants completing required assignments, and, as requested, working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors. The candidate must log a total of two hundred (200) clock hours in the major experience, divided into the required number of hours per leadership domain as specified in the Missouri Standards for Professional Educators (MoSPE); and

2. [*Culminating Clinical Experience. The final internship in career education administration builds upon the earlier*

field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.] **Minor Clinical Experience** (defined as an emphasis in either an elementary or secondary school placement). The minor clinical experience in school leadership includes placements for candidates to be active participants completing required assignments and, as requested, working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors. This includes placements in which candidates have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The candidate must log a total of fifty (50) clock hours in the minor experience, divided into the required number of hours per leadership domain as specified in the Missouri Standards for Professional Educators (MoSPE).

The remaining fifty (50) clock hours will be at the discretion of the program and candidate and will be divided among the leadership domains.

[(2) *An applicant for a Missouri Initial Administrator Certificate (Elementary Principal, Grades K-8) who possesses good moral character may be granted an Initial Administrator Certificate (Elementary Principal, Grades K-8) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Elementary Principals (Grades K-8):*

(A) **Professional Requirements.** An Initial Administrator Certificate (Elementary Principal, Grades K-8), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent, professional, or career education Missouri certificate of license to teach;

2. A minimum of two (2) years of successful teaching experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology/Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or the equivalent thereof from another educational leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of secondary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the secondary school. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least two (2) semester hours)—

(I) *Foundations of Educational Administration, including components of Career and Special Education;*

- (II) Elementary Administration;
- (III) Elementary Curriculum;
- (IV) School Supervision; and
- (V) School Law;

B. Knowledge and/or competency in each of the following areas:

- (I) Vision, Mission, and Goals—
 - (a) Developing and articulating a vision; and
 - (b) Implementing and stewarding a vision;
- (II) Teaching and Learning—
 - (a) Promoting a positive school culture;
 - (b) Providing an effective instructional program;
 - (c) Designing comprehensive professional growth

plans; and

- (d) Data and assessment;
- (III) Management of Organizational Systems—
 - (a) Managing the organizational structure;
 - (b) Leading personnel;
 - (c) Managing resources; and
 - (d) Processes of effective evaluation of educa-

tors;

- (IV) Collaboration with Families and Stakeholders—
 - (a) Collaborating with families and other community members;
 - (b) Responding to community interests and needs; and

- (c) Mobilizing community resources;
- (V) Ethics and Integrity—
 - (a) Personal and professional responsibilities; and
- (VI) Professional Development—
 - (a) Increase knowledge and skills based on best

practices.

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in elementary school administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the onsite supervisor.

2. Culminating Clinical Experience: The final internship in elementary school administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(3) An applicant for a Missouri Initial Administrator Certificate (Middle School Principal, Grades 5-9) who possesses good moral character may be granted an Initial Administrator Certificate (Middle School Principal, Grades 5-9) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Middle School Principals (Grades 5-9):

(A) Professional Requirements. An Initial Administrator Certificate (Middle School Principal, Grades 5-9), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

- 1. Professional Requirements. An Initial Administrator

Certificate (middle school principal), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

A. The applicant shall hold a valid Missouri professional elementary or secondary, initial, transition, or career, principal's certificate;

B. The applicant shall have a recommendation for certification as a middle school principal from the designated official of the college or university or other educational leadership program approved to train principals by the department. The recommendation shall be based upon the completion of the planned program;

C. The applicant shall have earned undergraduate or graduate credit as follows:

- (I) Methods of Teaching Reading (minimum of five (5) semester hours to include one (1) course in Techniques of Teaching Reading in the Content Fields); and

- (II) Methods of Teaching Elementary Mathematics (minimum of two (2) semester hours); and

D. The applicant shall have completed a planned program of at least six (6) semester hours in education courses, or an equivalent thereof which is approved by the department, focusing on: middle school philosophy, organization, and curriculum; and the intellectual, physiological, emotional, and social development of the transescent child (ten (10)-fourteen (14) year-old).

(4) An applicant for a Missouri Initial Administrator Certificate (Secondary Principal, Grades 7-12) who possesses good moral character may be granted an Initial Administrator Certificate (Secondary Principal, Grades 7-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Secondary Principals (Grades 7-12):

(A) Professional Requirements. An Initial Administrator Certificate (Secondary Principal, Grades 7-12), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

- 1. A permanent or professional Missouri certificate of license to teach;

- 2. A minimum of two (2) years of successful teaching experience approved by the department;

- 3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

- 4. Completion of a course in Psychology/Education of the Exceptional Child;

- 5. Completion of a master's degree in educational leadership from a college or university or the equivalent thereof from another educational leadership program meeting approval of the department;

- 6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of secondary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the secondary school. The approved graduate credit shall include:

- A. Specific courses (must be separate graduate courses of at least two (2) semester hours)—

- (I) Foundations of Educational Administration,

including components of Career and Special Education;

(II) Secondary Administration;

(III) Secondary Curriculum;

(IV) School Supervision; and

(V) School Law;

B. Knowledge and/or competency in each of the following areas—

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth

plans; and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educa-

tors;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best

practices;

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in secondary school administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in secondary school administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(5) An applicant for a Missouri Initial Administrator Certificate (Special Education Director, Kindergarten – Grade 12) who possesses good moral character may be granted an Initial Administrator Certificate (Special Education Director, Kindergarten – Grade 12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education Directors:

(A) Professional Requirements. An Initial Administrator Certificate (Special Education Director) valid for a period of four (4) years from the effective date on the certificate will be issued to applicants meeting the following requirements:

1. A permanent or professional certificate of license to

teach in an area of special education or student services;

2. A minimum of two (2) years special education or student services experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology/Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or the equivalent thereof from another educational leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other education leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of educational leaders which includes at least twenty-four (24) semester hours of approved graduate credit, or another equivalent thereof which is approved by the department, in education courses focused upon Special Education administration. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least two (2) semester hours)—

(I) Foundations of Educational Administration, including components of

Career and Special Education;

(II) Special Education Administration;

(III) Differentiating Instruction in the General Education Curriculum;

(IV) School Supervision; and

(V) School Law, to include Special Education Law;

B. Knowledge and/or competency in each of the following areas—

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth

plans; and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educa-

tors;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices;

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in special education administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals;

focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in special education administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.]

(2) An applicant for a Missouri Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12) who possesses good moral character may be granted an Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career and Technical Education Administrator, Grades 7-12:

(A) Professional Requirements. An Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent or professional education Missouri teaching certificate of license to teach;

2. A minimum of three (3) years of career education or secondary subject area teaching experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.320 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology/Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a regionally accredited college or university or the equivalent thereof from another educational leadership program meeting approval of the department and which included knowledge and/or competency in each of the five (5) domains identified for the Initial Administrator Certificate (Career and Technical Education Administrator, Grades 7-12);

6. Recommendation for certification from the designated official of a regionally accredited college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of career and technical education administrators which includes at least twenty-six (26) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the career center. The approved graduate credit shall include:

A. Coursework must be at the graduate level and fall within the following five (5) domains—

(I) Visionary Leadership—

(a) Understands the importance of a vision and can demonstrate how it relates to the context and culture of the school community;

(b) Understands and can communicate the importance of all stakeholders knowing the collective mission, vision, and core values;

(c) Understands and can demonstrate how multiple sources of data are connected to a mission, vision, and core val-

ues and the legal and ethical handling of information;

(d) Knows the importance of utilizing employment trends and forecasting data to improve and expand Career and Technical Education (CTE) programming;

(e) Understands the importance of using common criteria and quality indicator (CCQI) of high quality CTE; and

(f) Understands how the history and philosophy of CTE impacts leadership in CTE;

(II) Instructional Leadership—

(a) Understands standards and can demonstrate how they apply to horizontal and vertical alignment of local curricula and content areas;

(b) Understands a variety of research-based instructional practices and can demonstrate how to appropriately match learning content;

(c) Understands and engages in meaningful feedback related to teacher professional growth;

(d) Understands and demonstrates how to assess student learning using a variety of formal and informal assessments;

(e) Engages in and demonstrates meaningful observation and feedback related to effective instructional practice;

(f) Understands and can demonstrate multiple strategies for analyzing data to inform the instructional process;

(g) Understands the principles of adult learning and can demonstrate how these help develop teacher capacity;

(h) Understands the process of CTE curriculum development and implementation utilizing business/industry/workforce partners with the importance of assessing performance and industry credentials;

(i) Ensures CTE instruction entails Career Technical Student Organizations (CTSO) components (e.g., technical, academic, workplace, personal skills); and

(j) Implements instructional goals, assessment methods, and work-based learning by utilizing business/industry/workforce partners to address workforce needs;

(III) Managerial Leadership—

(a) Knows and can demonstrate how a safe and functional school facility and grounds supports student learning;

(b) Understands and can demonstrate how routines, procedures, and schedules support the school environment;

(c) Understands the tools and can demonstrate the skills required to determine key attributes of effective personnel and the legal and ethical decisions impacting evaluation;

(d) Understands and can demonstrate the necessity of establishing and communicating clear expectations, guidelines, and procedures which respect the rights of all staff and students;

(e) Understands and can demonstrate the role of observation, feedback, and intervention for improving or removing personnel;

(f) Is knowledgeable of and can reflectively evaluate and communicate legal and ethical requirements regarding personnel records and reports;

(g) Understands and can communicate the legalities of how a school budget works and the major sources of revenue available to support school goals and priorities;

(h) Understands and can communicate how non-fiscal resources support school goals and priorities;

(i) Utilizes CCQI to develop, evaluate, expand, and improve local CTE programs, including CTOS and business, industry, and workforce partnerships;

(j) Assesses stakeholder needs for CTE program budget development, implementation, and oversight;

(k) Understands CTE financial management, including funding mechanisms, financial management system, CTE grants and requirements, and CTE financial coding;

(l) Understands the impact of local, state, and federal legislation on CTE program management; and

(m) Develops teacher and staff capacity to monitor

budgets, implement program standards and curriculum, meet certification requirements, follow school policies, and manage CTSOs;

(IV) Relational Leadership—

(a) Knows how and why analysis of student demographics is used to determine the overall diversity of a school and can demonstrate its impact on the teaching and learning process;

(b) Understands and can communicate the in-school and out-of-school strategies and resources available to support the welfare of each student;

(c) Understands and can demonstrate how to build positive relationships in support of student learning and well-being;

(d) Understands and can demonstrate the components of building effective relationships with staff and cultivating ethical behaviors in others;

(e) Understands and can demonstrate how to develop a culture of support and respect among staff;

(f) Serves as a teacher leader and understands and demonstrates the importance of promoting teacher leadership;

(g) Understands and can communicate a variety of strategies and legal implications for building relationships with families;

(h) Recognizes the importance of and can demonstrate building positive relationships with other community stakeholders;

(i) Understands and can demonstrate the importance of building positive relationships with other community stakeholders, especially with CTE advisory committees and business/industry/workforce partners;

(j) Understands the unique needs of a CTE teacher who transitions from business/industry/workforce to the classroom; and

(k) Understands and can demonstrate the importance of building positive relationships with legislators and state agency staff;

(V) Innovative Leadership—

(a) Recognizes and can apply the knowledge, skills, and best practices that support continuous professional growth;

(b) Understands and has the capacity to develop the need for professional networks as a key element of professional growth;

(c) Understands the importance of reflection and demonstrates a commitment to ongoing learning;

(d) Understands and can demonstrate the importance of feedback for improving performance;

(e) Understands and can demonstrate how time management is a key factor for maintaining a focus on school priorities;

(f) Recognizes and can demonstrate that beliefs based on new knowledge and understandings are used as a catalyst for change;

(g) Demonstrates flexibility by being willing to vary an approach when circumstances change, and models ethical personal conduct;

(h) Recognizes and demonstrates how business/industry/workforce partnerships influence or accelerate CTE program enhancement; and

(i) Understands and can communicate the unique professional development needs of a CTE teacher who transitions from business/industry/workforce to the classroom;

(B) Field and Clinical Experience (three (3) semester hours with a minimum of three hundred (300) clock hours).

1. The field and clinical experience in Career and Technical Education Administration shall include: placements in which candidates have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organiza-

tional systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The experience will provide the candidate with the opportunity to lead and direct specific activities. Candidates are active participants completing required assignments, and, as requested, working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors. The candidate must log a total of three hundred (300) clock hours in the major experience, divided into the required number of hours per leadership domain as specified in the Missouri Standards for Professional Educators (MoSPE).

(3) An applicant for a Missouri Initial Administrator Certificate (Special Education Director, Kindergarten-Grade 12) who possesses good moral character may be granted an Initial Administrator Certificate (Special Education Director, Kindergarten-Grade 12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education Director, Kindergarten-Grade 12:

(A) Professional Requirements. An Initial Administrator Certificate (Special Education Director, Kindergarten-Grade 12), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. The applicant shall hold a valid Missouri permanent or professional principal or school leader certificate; and

2. The applicant shall have completed the department's approved Special Education Director micro-credentials.

[[6]](4) An applicant for a Missouri Initial Administrator Certificate (Superintendent, Kindergarten-Grade 12) who possesses good moral character may be granted an Initial Administrator Certificate (Superintendent, Kindergarten-Grade 12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Superintendents:

(A) Professional Requirements. An Initial Administrator certificate, valid for a period of four (4) years from the date of issuance, will be issued to applicants meeting the following requirements:

1. A permanent or professional Missouri certificate of license to teach;

2. A minimum of three (3) years of experience as a building- or district-level administrator at a public or accredited nonpublic school;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology/Education of the Exceptional Child;

5. Completion of an educational specialist or advanced degree program in educational leadership and recommendation from the designated official of a **regionally accredited** college or university or other education leadership program approved by the department[,] which shall include:

A. Specific courses (must be separate graduate courses of at least two (2) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) School Supervision; and

(III) School Law;

B. Knowledge and/or competency in each of the following areas:

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

- (a) Promoting positive school culture;
 - (b) Promoting effective instructional programs;
 - (c) Ensuring comprehensive professional growth plans;
- and
- (d) Data and assessment;
- (III) Management of Organizational Systems—
- (a) Managing the organizational structure;
 - (b) Leading personnel;
 - (c) Managing resources; and
 - (d) Processes of effective evaluation of educators;
- (IV) Collaboration with Families and Stakeholders—
- (a) Collaborating with families and other community members;
 - (b) Responding to community interests and needs; and
 - (c) Mobilizing community resources;
- (V) Ethics and Integrity—
- (a) Personal and professional responsibilities;
- (VI) The Education System—
- (a) Understanding the larger context;
 - (b) Responding to the larger context; and
 - (c) Influencing the larger context;
- (VII) Professional Development—
- (a) Increasing knowledge and skills based on best practices; and
- C. Directed field experiences in superintendency of at least three (3) semester hours.

[(7)](5) The requirements of this rule shall become effective August 1, [2017] 2020.

AUTHORITY: sections 161.092, 168.011, [168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021,] 168.071, 168.081, [and] 168.400, 168.405, and 168.409, RSMo [Supp. 2013] 2016, and section 168.021, RSMo Supp. 2018. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed June 13, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area**

PROPOSED AMENDMENT

10 CSR 10-5.570 Control of Sulfur Emissions From Stationary Boilers. The commission proposes to amend the purpose and subsections (1)(C), (3)(A), (3)(B), (3)(D), and (4)(A). If the commission adopts this rule action, the Department intends to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is

available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: The purpose of this rulemaking is to correct references to other state and federal rules within this rule to address U.S. Environmental Protection Agency (EPA) concerns so that it can be approved into the Missouri State Implementation Plan (SIP). Additionally, this rulemaking will also make administrative updates. This rulemaking will be developed to maintain consistency with the criteria in Section 3c of Executive Order 17-03 for all new and existing regulations. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is an EPA email, dated September 18, 2018.

PURPOSE: This rule [limits] maintains fine particle (PM_{2.5}) emission reductions by limiting sulfur dioxide (SO₂) emissions from industrial boilers in the St. Louis [Nonattainment Area] area for the 1997 Annual PM_{2.5} National Ambient Air Quality Standard. [By reducing SO₂ emissions released into the atmosphere, emissions of fine particles (PM_{2.5}) will be reduced. This rule is intended to curb emission in the St. Louis Nonattainment Area in compliance with the federal Clean Air Fine Particle Implementation Rule to reduce the risk of PM_{2.5} violations, which may prompt redesignation and/or sanctions from the U.S. Environmental Protection Agency.] These SO₂ emission requirements serve to maintain PM_{2.5} emission reductions in the St. Louis area in compliance with the federal Clean Air Fine Particle Implementation Rule and thereby reduce the risk of PM_{2.5} violations and the risk of redesignation and/or sanctions by the U.S. Environmental Protection Agency.

(1) Applicability. This rule applies to all applicable installations located in the counties of Franklin, Jefferson, St. Charles, St. Louis, and the City of St. Louis.

(C) The types of boilers and process heaters listed in paragraphs (1)(C)1. through 5. of this rule are not subject to this rule.

1. Any unit subject to and in compliance with the Phase II Acid Rain program (40 CFR 96 subpart AAA).

2. A boiler or process heater that is used specifically for research and development. This does not include units that only provide heat or steam commercially to a process at a research and development installation.

3. Temporary boilers as defined in section (2) of this rule.

4. Any unit under subsection (1)(A) of this rule which demonstrates, using the emission estimation methods outlined in section (5) of this rule, that the unit's mass sulfur dioxide (SO₂) emissions are twenty-five (25) tons or less during the calendar year. To the extent such demonstration relies on pollution control equipment or operational controls, such controls must be enforceable.

5. Boilers that exclusively burn natural gas, liquefied petroleum (LP) gas, and/or fuel oil number two (2) with less than five-tenths percent (0.5%) sulfur, at the option of the installation.

6. Loss of exemption. If the exemption limit in paragraph (1)(C)4. of this rule is exceeded, the exemption no longer applies and the owner or operator must notify the staff director or designee within thirty (30) days of such event. If the owner or operator can demonstrate to the staff director or designee that the exemption limit was exceeded due to emergency operations or uncontrolled circumstances, the exemption in paragraph (1)(C)4. of this rule is reinstated. Emergency events include the use of boilers to produce power for critical networks or equipment when electric power from the local utility or the normal power source, if the installation runs on its own power production, is interrupted, or the use of boilers to pump water in the case of fire or flood, etc. The use of boilers to reduce electricity drawn

from a power utility during utility designated peak time periods, to supply power to an electric grid, or to supply power as part of a financial arrangement with another entity is not considered an emergency event.

7. Compliance with this rule does not relieve any owner or operator of the responsibility to comply fully with applicable provisions of the Air Conservation Law or any other requirements under local, state, or federal law. Specifically, compliance with this rule shall not violate the permit conditions previously established under 10 CSR 10-6.060 or 10 CSR 10-6.065.

(3) General Provisions.

(A) Emission Limitations.

1. Except as otherwise provided in this section, no installation shall cause or allow the emission of *[sulfur dioxide (SO₂)]* into the atmosphere exceeding one (1.0) pound (lb) of SO₂ per mmBtu of actual heat input in any thirty (30)-day period from any installation with applicable units.

2. No brewery shall cause or allow the combined total of atmospheric emissions of SO₂ from all applicable emission units within an installation to exceed three thousand fifty (3,050) tons during any twelve (12)-month rolling period. SO₂ emission from all applicable units shall be determined by compliance with subparagraph (3)(C)2.D. of this rule.

(B) Measurements for Single Units. Measurements shall be one (1) of the following:

1. Measurements of SO₂ emissions from stationary sources are made according to an applicable method in 40 CFR 60, Appendix A, Method 6, 6A, 6B, or 6C as specified in 10 CSR 10-6.030(22) or by measurement procedures established pursuant to 40 CFR 60.8(b) *[as specified in 10 CSR 10-6.030(22)]*; or

2. Monthly analysis method. Installations subject to this rule shall demonstrate compliance or non-compliance by an analysis of calendar monthly composites of daily fuel samples using American Society for Testing and Materials (ASTM) procedures, or by vendor certification, at the option of the installation. Installations opting to use vendor certification shall provide monthly individual verification from all vendors using the ASTM procedures prescribed in this paragraph of consumed solid fuels including different vendor supplied batches of coal. The specific ASTM procedures, D2234, D2013, D3180, D4239, D5865, D240, D2622, D5504, and D6228 are used for fossil fuel or gaseous fuel sampling, sulfur, and, if needed, heating value determinations as specified in 10 CSR 10-6.040.

(D) Monitoring Requirements. Any owner or operator of an industrial, commercial, or institutional boiler; or process heater subject to this rule equipped with flue gas desulfurization or sorbent inject controls shall use a continuous emission monitoring system (CEMS) to monitor compliance. Owners or operators subject to this rule without control equipment shall comply with one (1) of the following requirements:

1. A CEMS that:*—*

A. Meets the applicable requirements of 40 CFR part 60, *[subpart A,]* Appendix B, as specified in 10 CSR 10-6.030(22); and

B. Complies with the quality assurance procedures regardless of whether the installation is subject to new source performance standards (NSPS) specified in 40 CFR part 60, Appendix F, as specified in 10 CSR 10-6.030(22);

2. An alternate monitoring procedure or monitoring plan approved by the director and the U.S. Environmental Protection Agency (EPA).

(4) Reporting and Record Keeping.

(A) Reporting Requirements. The owner or operator subject to this rule shall—

1. Submit the calculation and record keeping procedure by February 15 of each year based upon correlations with ASTM and

40 CFR part 60, Appendix A reference method results, as specified in 10 CSR 10-6.030(22);

2. Submit an annual report to the director by February 15 following the end of the initial compliance period and by February 15 for each year thereafter unless the affected unit is subject to an NSPS. The annual report shall document for each affected unit, the average of the tons of *[SO₂]* SO₂ emitted during the previous twelve (12)-month period or the twelve (12)-month rolling total starting the first full year after the compliance period;

3. By February 15 of every year following the initial compliance period, submit monthly reports for the previous calendar year unless the affected unit is subject to an NSPS. The monthly reports shall document the following information for each affected unit:

A. For units equipped with a CEMS, both the total heat input in mmBtu and the SO₂ emission rate in lbs per mmBtu for the unit; and

B. For units without a CEMS, the total number of tons of each solid fuel burned including different vendor supplied batches of coal, volume of each gaseous fuel, and/or volume each liquid fuel; average percent sulfur content of each solid fuel including different vendor supplied batches of coal, each liquid fuel and/or each gaseous fuel; and each solid fuel including different vendor supplied batches of coal, each liquid fuel, and/or each gaseous fuel average heat content in Btu per lb; and

4. Excess emissions.

A. Units maintaining a CEMS, shall submit an excess emissions monitoring system performance report by February 15 following the end of the initial compliance period and by February 15 for each year thereafter unless the affected unit is subject to an NSPS, in accordance with—

(I) 40 CFR 60.7(c)*[, as specified in 10 CSR 10-6.030(22)]*; and

(II) 40 CFR 60.13*[, as specified in 10 CSR 10-6.030(22)]*.

B. Units not maintaining a CEMS, shall submit a written report of excess emissions according to 10 CSR 10-~~6.260~~**6.261**, *[subsection] paragraph [(4)(A)] (4)(A)1*, regardless of whether 10 CSR 10-~~6.260~~**6.261** applies, unless the affected unit is subject to an NSPS.

AUTHORITY: section 643.050, RSMo 2016. Original rule filed Dec. 16, 2008, effective Sept. 30, 2009. Amended: Filed March 13, 2013, effective Oct. 30, 2013. Amended: Filed April 13, 2018, effective Jan. 30, 2019. Amended: Filed June 14, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., August 29, 2019. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., September 5, 2019. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.161 Commercial and Industrial Solid Waste Incinerators. The commission proposes to amend the purpose, subsection (2)(A), and sections (3) and (4). If the commission adopts this rule action, the department intends to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Plan for Designated Facilities and Pollutants pursuant to section 111(d) of the Clean Air Act for Commercial and Industrial Solid Waste Incinerators. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This amendment cleans up the federal reference information in this rule to address the U.S. Environmental Protection Agency (EPA) concerns. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is an EPA email, dated September 18, 2018.

PURPOSE: This rule incorporates by reference the federal regulatory requirements for existing commercial and industrial solid waste incineration units in Missouri. [The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is Federal Register Notice 78 FR 9112, dated February 7, 2013.]

(2) Definitions.

(A) The definitions of 40 CFR 60.2875 apply *[as specified in 10 CSR 10-6.030(22)]*.

(3) General Provisions. The following references to 40 CFR 60.2575 through 60.2735, 40 CFR 60.2805 through 60.2870, and 40 CFR 60, *[S]*subpart DDDD Tables 1 through 9, apply *[as specified in 10 CSR 10-6.030(22)]*:

(D) Emission Limitations and Operating Limits—40 CFR 60.2670 through *[60.2685]* **60.2680** and 40 CFR 60.2860;

(F) Initial Compliance Requirements—40 CFR 60.2700 through 60.2706. If the owner or operator of a waste-burning kiln chooses to switch to and comply with the equivalent production-based mercury emission limit in subparagraph (3)(K)1.B. of this rule, initial compliance shall be demonstrated pursuant to 40 CFR 63.1348(a)(5). The initial compliance test must begin on the first operating day following completion of the field testing and data collection that demonstrates that the continuous emissions monitoring system has satisfied the relevant performance acceptance criteria of Performance Specifications 12A or 12B in 40 CFR *[Part]* 60 Appendix B. The notification required by 40 CFR 60.2760(a) through (c) shall also include the owner or operators intention to comply with the equivalent production-based mercury emission limit in subparagraph (3)(K)1.B. of this rule. For waste-burning kilns choosing to comply with the equivalent production-based mercury emission limit in paragraph (3)(K)1.B. of this rule, the term operating day in 40 CFR 63.1348(a)(5), 40 CFR 63.1348(b)(7) and 40 CFR 63.1349(b)(5) means any twenty-four (24)-hour period beginning at 12:00 midnight during which the kiln produces any amount of clinker. **The requirements of 40 CFR 63.1348(a)(5), 40 CFR 63.1348 (b)(7), 63.1349(b)(5), and 40 CFR 60 Appendix B Specifications 12A and 12B [promulgated as of**

July 1, 2018 are hereby incorporated by reference as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions] apply;

(G) Continuous Compliance Requirements—40 CFR 60.2710 through 60.2725. If the owner or operator of a waste-burning kiln chooses to switch to and comply with the equivalent production-based mercury emission limit in subparagraph (3)(K)1.B. of this rule, continuous compliance shall be demonstrated pursuant to the procedures of 40 CFR 63.1348(b)(7) and 40 CFR 63.1349(b)(5). **The requirements of 40 CFR 63.1348(b)(7), [and 63.1349(b)(5) [promulgated as of July 1, 2018 are hereby incorporated by reference as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions] apply;**

(H) Monitoring—40 CFR 60.2730 through 60.2735 and 40 CFR 60.2865. If the owner or operator of a waste-burning kiln chooses to switch to and comply with the equivalent production-based mercury emission limit in subparagraph (3)(K)1.B. of this rule, it must also monitor mercury pursuant to 40 CFR 63.1350(k), the clinker production rate pursuant to 40 CFR 63.1350(d), and the flow rate pursuant to 40 CFR 63.1350(n). An owner or operator of a waste-burning kiln is not required to develop an emissions monitoring plan pursuant to 40 CFR 63.1350(p)(1) through (p)(4) if the owner or operator prepares the emissions monitoring plan required pursuant to 40 CFR 60.2710(k) and 40 CFR 60.2710(l). **The requirements of 40 CFR 63.1350(d), (k), (n), and (p)(1) [promulgated as of July 1, 2018 are hereby incorporated by reference as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions] apply;**

(J) **40 CFR 60 subpart DDDD** Table 1 through Table 9. The compliance dates for the increments of progress are—

1. For Increment 1, the final control plan must be submitted within one (1) year of *[the effective date of this rule]* **March 30, 2014**; and

2. For Increment 2, for CISWI units that commenced construction on or before June 4, 2010, the final compliance date is February 7, 2018; and

(K) Other requirements:

1. Units applicable under paragraph (1)(A)1. of this rule must comply with the emission limits as follows:

A. For energy recovery units, Table 7 of 40 CFR 60 subpart DDDD *[as specified in 10 CSR 10-6.030(22)]*;

B. For waste burning kilns, Table 8 of 40 CFR 60 subpart DDDD *[as specified in 10 CSR 10-6.030(22)]*; and

C. For small remote incinerators, Table 9 of 40 CFR 60 subpart DDDD *[as specified in 10 CSR 10-6.030(22)]*;

2. Units applicable under paragraph (1)(A)2. of this rule, Table 2 of 40 CFR 60 subpart DDDD *[as specified in 10 CSR 10-6.030(22)]*; and

3. Units applicable under paragraph (1)(A)3. of this rule, Table 6 of 40 CFR 60 subpart DDDD or Table 1 of 40 CFR 60 subpart CCCC *[as specified in 10 CSR 10-6.030(22)]*, whichever is more stringent.

(4) Reporting and Record Keeping. The provisions of 40 CFR 60.2740 through 60.2800 and 40 CFR 60.2870, apply *[as specified in 10 CSR 10-6.030(22)]*. If the owner or operator of a waste-burning kiln chooses to switch to and comply with the equivalent production-based mercury emission limit in subparagraph (3)(K)1.B. of this rule, it shall also keep records of all data collected from the continuous flow rate monitoring system required by 40 CFR 63/ .1350(n), all

data collected from the clinker production monitoring system required by 40 CFR 63.1350(d), and all calculated thirty (30)-operating day rolling average values derived from the mercury monitoring system. Units in the waste-burning kiln subcategory complying with the equivalent production-based mercury emission limit in subparagraph (3)(K)1.B. of this rule must also report all deviations from the equivalent production-based mercury limit in accordance with 40 CFR 60.2740 through 40 CFR 60.2800. **The requirements of 40 CFR 63.1350(d), and (n) [promulgated as of July 1, 2018 and are hereby incorporated by reference as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions] apply.**

AUTHORITY: section 643.050, RSMo 2016. Original rule filed July 12, 2013, effective March 30, 2014. Amended: Filed May 9, 2018, effective Feb. 28, 2019. Amended: Filed June 14, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., August 29, 2019. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., September 5, 2019. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

Title 15—ELECTED OFFICIALS Division 50—Treasurer

Chapter 4—Missouri [Higher] Education Savings Program

PROPOSED AMENDMENT

15 CSR 50-4.010 General Organization. The board is amending section (1).

PURPOSE: This amendment implements statutory changes to the Missouri Education Savings Program board enacted by the passage of HB 959 (2004) and SB 882 (2018).

(1) [House Bill No. 1694, 2nd Regular Session, 89th General Assembly (1998) as amended by Senate Bill No. 460, 1st Regular Session, 90th General Assembly (1999) (effective August 28, 1999),] House Bill No. 959, 2nd Regular Session, 92nd General Assembly (2004), as amended by Senate Bill No. 882, 2nd Regular Session, 99th General Assembly (2018) (effective August 28, 2018), codified at sections 166.400 through 166.455 [456 [(the statute)], RSMo creates the Missouri [Higher] Education Savings Program (the program), to be administered by the Missouri [Higher] Education Savings Program Board (the board). The board consists of the state treasurer (who serves as chairman), the commissioner of the state Department of Higher Education, **the commissioner of education**, the commissioner of the

state Office of Administration, the director of the state Department of Economic Development, [and] two (2) persons having demonstrable experience and knowledge in the areas of finance [and] or the investment and management of public funds, one of whom will be selected by the president pro tem of the state Senate and the other selected by the speaker of the state House of Representatives, **and one (1) person having demonstrable experience and knowledge in the area of banking or deposit rate determination and placement of certificates of deposit or other deposit investments, to be appointed by the Governor with the advice and consent of the senate.** The board's primary purpose is to administer the program and the board possesses all powers necessary to carry out and effectuate the purposes, objectives and provisions of the statute.

AUTHORITY: section[s 166.416] 166.415, RSMo Supp. 2018, and section 536.023, RSMo [Supp. 1998] 2016. Original rule filed Aug. 30, 1999, effective Feb. 29, 2000. Amended: Filed June 13, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Treasurer's Office, PO Box 210, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS Division 50—Treasurer Chapter 4—Missouri [Higher] Education Savings Program

PROPOSED AMENDMENT

15 CSR 50-4.020 Missouri [Higher] Education Savings Program. The board is amending subsections (2)(A), (2)(C), and (6)(A).

PURPOSE: This amendment implements statutory changes to the Missouri Education Savings Program enacted by the passage of SB 882 (2018).

(2) Definitions.

(A) Existing Missouri Definitions. The following terms, as used in this rule, are defined in section 166.410, RSMo: benefits, board, eligible educational institution, Internal Revenue Code, participation agreement, qualified higher education expenses, **qualified education expenses**, savings program.

(C) Additional Definitions. The following definitions shall also apply to the following terms as they are used in this rule:

1. "501(c)(3) organization" means an organization described in section 501(c)(3) of the Internal Revenue Code and exempt from taxation under section 501(a) of the Internal Revenue Code;

2. "Account" means the account in the savings program established by a participant and maintained for a beneficiary;

3. "Account balance" means the fair market value of an account on a particular date;

4. "Account owner" means—a) a participant or b) the transferee of an account pursuant to subsection (5)(H) below;

5. "Beneficiary" means a designated beneficiary as defined in section 529 of the Internal Revenue Code and the Treasury regulations (or proposed regulations) promulgated thereunder;

6. "Cash" shall include, but not be limited to, checks drawn on

a banking institution located in the continental United States in U.S. dollars (other than cashiers checks, travelers checks, or third-party checks exceeding ten thousand dollars (\$10,000)), money orders, payroll deduction, and electronic funds transfers. Cash does not include property;

7. "Disability" means, with respect to a beneficiary, any disability of such beneficiary that has been certified pursuant to paragraph (6)(B)2. below;

8. "Member of the family" means an individual who is related to the beneficiary as listed in subparagraphs (2)(C)8.A. through (2)(C)8.I. of this definition, together with such changes to such list as may be included, from time-to-time, in the definition of "member of the family" pursuant to section 529 of the *Internal Revenue Code* or the Treasury regulations (or proposed regulations) thereunder:

- A. A son or daughter, or a descendant of either;
- B. A stepson or stepdaughter;
- C. A brother, sister, stepbrother, or stepsister;
- D. The father or mother, or an ancestor of either;
- E. A stepfather or stepmother;
- F. A son or daughter of a brother or sister;
- G. A brother or sister of the father or mother;
- H. A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law; or

I. The spouse of the designated beneficiary or the spouse of any individual de-scribed in subparagraphs (2)(C)8.A. through (2)(C)8.H. of this definition.

For purposes of determining who is a member of the family hereunder, a legally adopted child of an individual shall be treated as the child of such individual by blood, and the terms brother and sister include a brother or sister by the halfblood;

9. "Non-qualified withdrawal" means a distribution from an account other than a qualified withdrawal, a withdrawal due to death, disability or scholarship of beneficiary, a rollover distribution, or a distribution from an account that is made after amounts are held in such account for the minimum length of time, if at all, permitted by section 529 of the *Internal Revenue Code* without the imposition of a penalty;

10. "Participant" means a person who has entered into a participation agreement pursuant to the statute and this rule for the payment of qualified [*higher*] education expenses on behalf of a beneficiary;

11. "Person" means any individual, estate, association, trust, partnership, limited liability company, corporation, the state of Missouri or any department thereof, or any political subdivision of the state of Missouri;

12. "Qualified withdrawal" means a distribution from an account established under the savings program used exclusively to pay qualified [*higher*] education expenses of the beneficiary;

13. "Rollover distribution" means a distribution or transfer from an account for a beneficiary that is transferred or deposited within sixty (60) days of the distribution into an account for another beneficiary who is a member of the family of the current beneficiary, in each case to the extent permitted as a rollover distribution, as defined in section 529(c)(3)(C)(i) of the *Internal Revenue Code* and the Treasury regulations (or proposed regulations) promulgated thereunder. A distribution is not a rollover distribution unless there is a change of beneficiary. The account for such other beneficiary may be an account established under the savings program or an account established under a qualified state tuition program in another state;

14. "Scholarship" means any scholarship and any allowance or payment described in section 135(d)(1)(B) or (C) of the *Internal Revenue Code*;

15. "Scholarship account" means an account in the savings program established by a participant that is a scholarship sponsor and maintained for the benefit of one (1) or more current and/or future beneficiaries;

16. "Scholarship sponsor" means the state of Missouri, an

instrumentality of the state of Missouri, a political subdivision of the state of Missouri, or an organization described in section 501(c)(3) of the *Internal Revenue Code*, in each case who establishes one (1) or more accounts as part of a scholarship program;

17. "Statute" means sections 166.400 to 166.[455/456, RSMo, as amended from time-to-time; and

18. "Withdrawal due to death, disability or scholarship of beneficiary" means a distribution from an account established under the savings program—a) made because of death or disability of the beneficiary, or b) made because of the receipt of a scholarship by the beneficiary to the extent that such distribution does not exceed the amount of such scholarship.

(6) Payment of Benefits; Withdrawals.

(A) Qualified Withdrawals. An account owner may request a qualified withdrawal from its account by submitting a completed request for qualified withdrawal to the board in such form as the board may specify from time-to-time[, *provided that any such request for a qualified withdrawal may be made only after such account has been opened for a period of at least twelve (12) months*].

AUTHORITY: section 166.415, RSMo Supp. [2013] 2018. Emergency rule filed Aug. 30, 1999, effective Sept. 14, 1999, expired March 12, 2000. Original rule filed Aug. 30, 1999, effective Feb. 29, 2000. Emergency amendment filed Jan. 22, 2015, effective Feb. 1, 2015, expired July 30, 2015. Amended: Filed Jan. 22, 2015, effective July 30, 2015. Amended: Filed June 13, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Treasurer's Office, PO Box 210, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 50—Treasurer
Chapter 4—Missouri [*Higher*] Education Savings
Program

PROPOSED AMENDMENT

15 CSR 50-4.030 Missouri MOST 529 Matching Grant Program.
The board is amending subsection (1)(B) and section (2).

PURPOSE: This amendment updates outdated language.

(1) Definitions.

(B) Additional Definitions. The following definitions shall also apply to the following terms as they are used in this rule:

1. "MOST Matching Grant" means funds granted to an eligible account owner pursuant to the MOST 529 Matching Grant Program;

2. "MOST Matching Grant Account" means an account maintained for a beneficiary in which MOST matching grant funds are deposited;

3. "MOST Matching Grant Application" means the application required to be submitted by an account owner to be considered for a MOST matching grant;

4. "Plan Account" means the account in the savings program

established by a participant and maintained for a beneficiary; and

5. "Plan Description" means the MOST—Missouri's 529 [College Savings] Education Plan Program Description.

(2) Program Description. The MOST 529 Matching Grant Program is a limited grant program administered by the board as set forth below. The MOST 529 Matching Grant Program is funded with money provided by [Upromise Investments,] the program manager of the savings program. The program may not be funded every year. When funded, funds are limited and, in any given year, may be capped by the board in an amount determined by the board to ensure availability of funds [through 2016] for the duration of the grant program. The funds will be granted to eligible applicants on a first-come, first-served basis.

AUTHORITY: section 166.415, RSMo Supp. [2012] 2018. Emergency rule filed April 5, 2012, effective April 15, 2012, expired Jan. 23, 2013. Original rule filed April 5, 2012, effective Oct. 30, 2012. Emergency amendment filed Jan. 23, 2013, effective Feb. 2, 2013, expired July 31, 2013. Amended: Filed Jan. 23, 2013, effective July 30, 2013. Amended: Filed June 13, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Treasurer's Office, PO Box 210, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 1—Organization and Description of Board**

PROPOSED AMENDMENT

20 CSR 2120-1.010 General Organization. The board is amending all sections of the rule and deleting sections (1) and (8), renumbering as necessary, and amending sections (2) and (4).

PURPOSE: This amendment updates reference to a licensure examination requirement that is no longer applicable, to include professions now licensed by the board, and updates board contact information.

[(1) Whenever used in this division, the word board means the State Board of Embalmers and Funeral Directors.]

[(2)](1) The board is a unit of the Division of Professional Registration.

[(3)](2) The board is authorized [by section 333.111.1, RSMo] to adopt rules necessary for the transaction of its business and for the standards of service and practice to be followed in the professions of [embalming and funeral directing] embalmer, funeral director, preneed seller, preneed provider, and preneed agent.

[(4)](3) The board has at least two (2) regularly scheduled business meetings each year and such other meetings as determined by the

board. The time and location for all board meetings may be obtained by contacting the board office at PO Box 423, Jefferson City, MO 65102-0423.

[(5)](4) The meetings of the board [shall be] are conducted in accordance with Robert's Rules of Order, [Newly Revised, 10th Edition,] as last revised so far as it is compatible with the laws of Missouri governing this board or the board's own resolutions as to its conduct.

[(6)](5) All board meetings will be open to the public except as provided by law.

[(7)](6) Members of the public may obtain information from the board, or make submissions to the board, by writing the board at PO Box 423, Jefferson City, MO 65102-0423 or by visiting <http://pr.mo.gov/embalmers.asp>.

[(8) Examinations. After verification and approval by the board, application, scheduling, administration and payment for any examination required for licensure from the board shall be made to the board's testing service, currently the International Conference of Funeral Service Examining Boards, Inc. The testing service shall approve applications upon the board's verification and approval.

(A) Notification of intent to take an examination shall be received by the board at least fifteen (15) working days prior to the date the candidate plans to sit for the examination, unless otherwise stated in a specific regulation. At its discretion, the board may waive such notice requirement for examination candidates for good cause, provided that no waiver can be provided by the board that may violate the rules of the testing service. If a reexamination is required or requested, there is a mandatory thirty (30)-day waiting period between each Missouri reexamination date.

(B) All Missouri examinations may be provided in a computer-based testing format, except oral examination. Oral examinations will be held at the location designated by the board. Other examinations shall be held at the locations designated by the testing service. A complete listing of the conference's examination sites is at <http://www.cfseb.org> or is available at the board's office.]

[(9)](7) The rules in this division are declared severable. If any rule, or section of a rule, is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: sections 333.III, [and] 333.151.1, [RSMo 2000, and 536.023.3,] and 436.400-436.525, RSMo [Supp. 2006] 2016. This rule originally filed as 4 CSR 120-1.010. Original rule filed Oct. 17, 1975, effective Oct. 28, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102-0423, by facsimile at (573) 751-1155, or via email to

embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors**

Chapter 2—General Rules

PROPOSED AMENDMENT

20 CSR 2120-2.080 Written Statement of Charges. The board is amending sections (2) and (3) and deleting section (5).

PURPOSE: This amendment is to make updates to requirements of consumer disclosures.

(2) At the time of need, a written statement of charges shall be completed and given to the person making the at-need arrangements. The written statement of charges shall be completed prior to the rendering of the funeral services or providing merchandise[.], and [A]at a minimum, [the written statement of charges shall] contain the following:

(3) A preneed [contact] contract shall not be substituted for the written statement of charges [required by the this rule].

[(5) The rules in this division are declared severable. If any rule, or section of a rule, is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.]

AUTHORITY: sections 333.111 and 333.145, RSMo [2000] 2016. This rule originally filed as 4 CSR 120-2.080. Original rule filed Oct. 17, 1975, effective Oct. 28, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102-0423, by facsimile at (573) 751-1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors**

Chapter 2—General Rules

PROPOSED AMENDMENT

20 CSR 2120-2.090 Preparation Rooms/Embalming Room. The board is amending sections (3), (5)-(6), (9), and (11), deleting sec-

tions (4) and (14), and renumbering as necessary.

PURPOSE: This amendment modifies the current rule's requirements governing the standards required of funeral establishment preparation rooms.

(3) Floors, Walls, and Ceilings. All preparation room floor surfaces shall be smooth, nonabsorbent materials and so constructed as to be kept clean easily. [Floor drains shall be provided where the floor is to be subjected to cleaning by flooding.] All walls and ceilings shall be easily cleanable and light colored, and shall be kept and maintained in good repair. All walls shall have washable surfaces.

[(4) Each Missouri licensed establishment shall comply with Missouri Department of Health and Senior Services rules and regulations, Missouri Department of Natural Resources rules and regulations, and all other applicable county, city, municipal and state rules and regulations relating to plumbing, sewage and liquid waste, solid waste disposal and disposal of body parts.]

[(5)](4) Sewage and Liquid Waste Disposal.

(A) All sewage and water-carried wastes from the entire Missouri licensed funeral establishment, including the preparation room, shall be disposed of in a public sewage system or an approved disposal system which is constructed, operated, and maintained in conformance with the minimum standards of the Missouri Department of Health and Senior Services and Missouri Department of Natural Resources.

(B) The following aspirators are approved for preparation rooms:

1. Electric aspirators;

2. Water-operated aspirators. All water-operated aspirators shall be protected from back siphonage by the minimum of an atmospheric vacuum breaker that is installed a minimum of six inches (6") above the highest point of the embalming table and is approved by the American Society of Sanitary Engineering (ASSE) or by the Uniform Plumbing Code [and installed a minimum of twelve inches (12") above the maximum possible height of the embalming table]; and

3. Water-controlled unit. All water-controlled units shall be installed and maintained according to the Uniform Plumbing Code, and properly protected from back siphonage with a backflow prevention device approved by the American Society of Sanitary Engineering or the Uniform Plumbing Code.

[(6)](5) Solid Waste Disposal.

[(A)] All waste materials, [R]refuse, bandages, cotton, and other solid waste materials shall be kept in leakproof, nonabsorbent containers which [shall be covered with tight-fitting lids prior to disposal] are properly sealed.

[(B)] All waste materials, refuse, and used bandage and cotton shall be destroyed by reducing to ashes through incineration or shall be sterilized and buried. Sterilization may be accomplished by soaking for thirty (30) minutes in a solution of five percent (5%) formaldehyde, one (1) pint of formalin to seven (7) pints of water.]

[(7)](6) Disposal of Body Parts. Human body parts not buried within the casket shall be disposed of by incineration in a commercial or industrial-type incinerator or buried to a depth which will insure a minimum of three feet (3') of compacted earth cover (overlay).

[(8)](7) A mechanical exhaust system is required. Care shall be taken to prevent the discharge of exhaust air into an area where odors may create nuisance problems.

[(9)](8) All preparation rooms and all articles stored in them shall be

kept and maintained in a clean and sanitary condition. All embalming tables, hoppers, sinks, receptacles, instruments, and other appliances used in embalming or other preparation of dead human bodies shall be so constructed that they can be kept and maintained in a clean and sanitary condition. The following minimum standards shall apply:

(B) Facilities *[shall exist]* for the proper disinfection of embalming instruments and the embalming table;

(C) Facilities for the proper storage of embalming instruments *[shall be maintained]*. At a minimum, a chest or cabinet shall be used for the storage of embalming instruments;

[(10)](9) Food and Beverages.

[(B) *The Department of Health and Senior Services sanitation laws and rules governing food sanitation apply to the operation, construction and sanitation of food service facilities, where provided for the comfort and convenience of a funeral party; provided, however, that coffee service utilizing single-service cups and spoons and a coffeemaker of easily cleanable construction shall be deemed acceptable where this service is the only food service offered.*

[(C) *A Missouri licensed funeral home providing coffee service utilizing single-service items and coffeemakers of easily cleanable construction shall provide a water supply faucet at a suitable sink of easily cleanable construction for the filling and cleaning of this equipment in an area separate from the preparation room and restrooms.*

[(11)](10) A separate wash sink (separate from slop drain sink) shall be present or in close proximity to the preparation room for a personal hand wash facility *[for Missouri licensed embalmers]* and the disinfecting of embalming equipment. If the wash sink is not present in the preparation room, it shall be in a location close to the preparation room which is not accessible to the public and it shall be at a distance of no further than ten feet (10') from the door of the preparation room.

[(12)](11) Preparation rooms shall contain only the articles, instruments, and items that are necessary for the preparation, embalming, and final disposition of dead human bodies.

[(13)](12) Preparation rooms shall be secured with a functional lock so as to prevent entrance by unauthorized persons.

[(14) *The rules in this division are declared severable. If any rule, or section of a rule, is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.*

AUTHORITY: sections 192.020, 333.061, and 333.III.1, RSMo [2000 and 192.020 and 333.061, RSMo Supp. 2006] 2016. This rule originally filed as 4 CSR 120-2.090. Original rule filed Oct. 17, 1975, effective Oct. 28, 1975. Refiled March 24, 1976. Emergency rule filed Nov. 9, 1978, effective Nov. 20, 1978, expired Feb. 11, 1979. For intervening history, please consult the *Code of State Regulations*. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102-0423, by facsimile at (573) 751-1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2120—State Board of Embalmers and Funeral Directors Chapter 2—General Rules

PROPOSED AMENDMENT

20 CSR 2120-2.120 Public Records. The board is adding new section (2), renumbering as necessary, and amending sections (4) and (6).

PURPOSE: The purpose of the amendment is to modify the existing language to include additional records that are closed records of the board.

(2) The board hereby closes all individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment of the board, except that this exemption shall not apply to the names, positions, salaries, and lengths of service of officers and employees of the board once they are employed.

[(2)](3) The State Board of Embalmers and Funeral Directors establishes the executive director of the board as the custodian of its records as required by section 610.023, RSMo. The executive director is responsible for maintaining the board's records and for responding to requests for access to public records and may appoint deputy custodians as necessary for the efficient operation of the board.

[(3)](4) When the custodian believes that requested access is not *[required]* permitted under Chapter 610, RSMo, the custodian shall inform the requesting party that compliance cannot be made, specifying what sections of Chapter 610, RSMo, require that the record remain closed. Correspondence or documentation of the denial shall be copied to the board's general counsel. The custodian also shall inform the requesting party that *[s/he/she]* may appeal directly to the board for access to the records requested. The appeal and all pertinent information shall be placed on the agenda for the board's next regularly scheduled meeting. If the board reverses the decision of the custodian, the board shall direct the custodian to advise the requesting party and supply access to the information during regular business hours at the requesting party's convenience.

[(4)](5) The custodian shall maintain a file that will contain copies of all written requests for access to records and responses to these requests. The requests shall be maintained on file with the board for a period of one (1) year and will be maintained as a public record of the board open for inspection by any member of the general public during regular business hours.

[(5)](6) Whenever a request for inspection of public records is made and the individual inspecting the records requests copies of the records, the board may charge a reasonable fee for the cost of inspecting and copying the records. *The fee charged by the board shall be* as follows:

AUTHORITY: sections 333.111, [610.010–610.035] and 620.010.14, RSMo [2000] 2016, and sections 610.010–610.035, RSMo 2016 and RSMo Supp. 2018. This rule originally filed as 4 CSR 120-2.120. Original rule filed Nov. 1, 2001, effective April 30, 2002. Moved to 20 CSR 2120-2.120, effective Aug. 28, 2006. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102-0423, by facsimile at (573) 751-1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2120-2.130 Final Disposition as Defined in Chapter 193. The board is amending the purpose statement and all sections of the rule.

PURPOSE: The purpose of the amendment is to modify the existing language to facilitate an additional section of statute.

PURPOSE: This rule explains that the use of the term “final disposition” in Chapter 333, RSMo, and sections 436.400 to 436.[520]525, RSMo, relating to preneed, shall be consistent with the definition of the term in Chapter 193, RSMo.

(1) For purposes of Chapter 333, RSMo, and sections 436.400 to 436.[520]525, RSMo, **relating to preneed**, final disposition [shall be] is defined in accordance with the definition contained in section 193.015(3), RSMo.

(2) Use of the term final disposition in Chapter 333, RSMo, and sections 436.400 to 436.[520]525, RSMo, [shall be] **relating to preneed**, is consistent with its use in Chapter 193, RSMo.

AUTHORITY: sections 193.015, 333.011(10), 333.340, 436.405, and 436.520, RSMo [Supp. 2009] 2016. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expired June 11, 2010. Original rule filed Dec. 4, 2009, effective June 30, 2010. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102-0423, by facsimile at (573) 751-1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral
Directors
Chapter 3—Preneed**

PROPOSED AMENDMENT

20 CSR 2120-3.030 Notification of Intent to Sell Assets or Cease Doing Business (Seller or Provider). The board is amending the purpose statement, deleting sections (1), (4)-(6), renumbering as necessary, amending section (2), adding new section (3) and removing the forms included in the rule.

PURPOSE: The purpose of the amendment is to outline the procedures for ceasing licenses of preneed sellers and preneed providers as provided in sections 436.400 to 436.525, RSMo.

PURPOSE: [Under Chapter 436, RSMo, the State Board of Embalmers and Funeral Directors is directed to accept notification of intent to sell assets or cease doing business from persons registered as preneed sellers or preneed providers, or both. Under section 333.111.1., RSMo, the State Board of Embalmers and Funeral Directors is directed to promulgate rules. . . “for the transaction of its business. . .” This rule complies with the statutory directive that the board promulgate rules for the transaction of its business in accepting notifications of intent to sell assets or cease doing business from registered preneed sellers or providers, or both.] This rule outlines the procedures for preneed sellers and preneed providers to notify the board when selling or disposing of all or a majority of its business assets or its stock, or ceasing to do business.

[(1) Whenever used in this rule, the word person means any individual, partnership, corporation, cooperative, association or other entity.]

[(2)](1) Notification of intent to sell assets or cease doing business must be made on the forms provided by the board.

[(3)](2) As part of the notification, each [registered] licensed seller must inform the board of the actions it has taken or will take to ensure that the [trust] assets of the seller will be set aside and used to serve outstanding preneed contracts sold by the seller and each [registered] licensed provider must inform the board of the actions it has taken or will take to ensure that the provider’s obligations under preneed contracts will be satisfied.

[(4) In its discretion, the board may take reasonable and necessary actions to ensure that the provider’s obligations under preneed contracts will be satisfied or that the trust assets of the seller will be set aside and used to service outstanding preneed contracts sold by the seller.

(5) Failure of the board to take action regarding any sale or termination of business within thirty (30) days of receipt of notification for providers and within sixty (60) days of

receipt of notification for sellers will constitute a waiver of the board's authority under Chapter 436, RSMo.

(6) Forms for submitting notifications of intent to sell assets or cease doing business will be provided upon request.]

(3) If a seller ceases business, the seller shall assign all active preneed contracts to another licensed seller and transfer the funds held either in trust or in joint accounts to that licensed seller. In that assignment, the receiving seller shall agree to assume all obligations under the preneed contracts or in lieu of such complete assumption, the assignment shall set forth the obligations that the new seller is assuming.

AUTHORITY: sections 333.111.1, 436.490, and 436.500, RSMo [1986] 2016. This rule originally filed as 4 CSR 120-3.030. Original rule filed Jan. 7, 1983, effective June 11, 1983. Moved to 20 CSR 2120-3.030, effective Aug. 28, 2006. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102-0423, by facsimile at (573) 751-1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 1—Organization and Description of Commission**

PROPOSED AMENDMENT

20 CSR 2245-1.010 General Organization. The commission is amending section (4).

PURPOSE: This amendment changes the version of the *Uniform Standards of Professional Appraisal Practice (USPAP)* that real estate appraisers are required to adhere to pursuant to section 339.535, RSMo.

(4) For purposes of this section, the *Uniform Standards of Professional Appraisal Practice (USPAP)*, [2018] 2020 Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at www.appraisalfoundation.org. This rule does not incorporate any subsequent amendments to USPAP.

AUTHORITY: sections 339.507, 339.509, and 339.544, RSMo 2016. This rule originally filed as 4 CSR 245-1.010. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For intervening history, please consult the *Code of State Regulations*. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to reac@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 3—Applications for Certification and Licensure**

PROPOSED AMENDMENT

20 CSR 2245-3.005 Trainee Real Estate Appraiser Registration. The commission is amending section (6).

PURPOSE: This amendment changes the version of the *Uniform Standards of Professional Appraisal Practice (USPAP)* that real estate appraisers are required to adhere to pursuant to section 339.535, RSMo.

(6) Training.

(B) The supervising appraiser(s) shall be responsible for the training, guidance, and direct supervision of the registrant by—

1. Accepting responsibility for the appraisal report by signing and certifying that the report complies with the *Uniform Standards of Professional Appraisal Practice (USPAP)*, [2018] 2020 Edition. The USPAP, [2018] 2020 Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at www.appraisalfoundation.org. This rule does not incorporate any subsequent amendments or additions to the USPAP;

2. Reviewing and signing the appraisal report(s) for which the registrant has provided appraisal services; and

3. Personally inspecting each appraised property with the registrant until the supervising appraiser determines the registrant trainee is competent, in accordance with the competency rule of USPAP. If applying for a residential certification, the supervising appraiser shall personally inspect fifty (50) properties with the registrant, unless otherwise waived by the commission for good cause. If applying for certified general, the supervising appraiser shall personally inspect twenty (20) nonresidential properties with the registrant, unless otherwise waived by the commission for good cause.

AUTHORITY: section 339.509(8), RSMo 2016. Original rule filed Nov. 21, 2006, effective July 30, 2007. For intervening history, please consult the *Code of State Regulations*. Amended: filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 3—Applications for Certification and Licensure**

PROPOSED AMENDMENT

20 CSR 2245-3.010 Applications for Certification and Licensure.
The commission is amending paragraph (5)(B)1.

PURPOSE: This amendment changes the version of the Uniform Standards of Professional Appraisal Practice (USPAP) that real estate appraisers are required to adhere to pursuant to section 339.535, RSMo.

(5) Prerequisite for Certification.

(B) State-Certified Residential Appraiser.

1. The prerequisite for certification as a state-certified residential appraiser shall be two thousand five hundred (2,500) hours of appraisal experience obtained continuously over a period of not less than twenty-four (24) months under the supervision of a state-certified real estate appraiser. Hours may be treated as cumulative in order to achieve the necessary two thousand five hundred (2,500) hours of appraisal experience, and there is no limitation on the number of hours which may be awarded in any year. Each applicant for certification shall furnish, under oath, a detailed listing of the real estate appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the commission a sample of appraisal reports which the applicant has prepared in the course of the applicant's appraisal practice. For the purposes of this section, "prepared" means the participation in any function of the real estate appraisal report. Education may not be substituted for experience except as allowed in section (8) of this rule. All experience shall have been obtained after January 30, 1989, and shall be *Uniform Standards of Professional Appraisal Practice* (USPAP) compliant. The USPAP, [2018] 2020 Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at www.appraisalfoundation.org. This rule does not incorporate any subsequent amendments or additions to the USPAP. Acceptable appraisal experience as defined by the Appraiser Qualifications Board (AQB) includes, but is not limited to, the following (this should not be construed as limiting credit to only those individuals who are state-certified or state-licensed):

- A. Fee and staff appraisal;
- B. *Ad valorem* tax appraisal;
- C. Technical review appraisal;
- D. Appraisal analysis;
- E. Real estate consulting;
- F. Highest and best use analysis;
- G. Feasibility analysis/study; and
- H. Condemnation appraisal.

AUTHORITY: sections 339.509, 339.515, and 339.517, RSMo 2016. This rule originally filed as 4 CSR 245-3.010. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991.

Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 6—Educational Requirements**

PROPOSED AMENDMENT

20 CSR 2245-6.040 Case Study Courses. The commission is amending subsection (1)(B).

PURPOSE: This amendment changes the version of the Uniform Standards of Professional Appraisal Practice (USPAP) that real estate appraisers are required to adhere to pursuant to section 339.535, RSMo.

(1) General.

(B) Case study courses shall be at least thirty (30) hours of instruction. For each case study course, experience credit hours may not exceed three (3) times the education credit granted, and in no event shall the experience credit granted for a single course exceed ninety (90) hours. An applicant for licensure or certification may receive thirty (30) hours of pre-licensure education credit upon passage of an examination approved by the Appraiser Qualifications Board (AQB) course approval program or by an alternate method established by the AQB. A licensee may receive twenty-eight (28) hours of continuing education credit for a case study course as allowed pursuant to 20 CSR 2245-8.010. An applicant for licensure or certification will receive the experience credit upon completing one (1) or more *Uniform Standards of Professional Appraisal Practice* (USPAP) compliant appraisal reports for the course. The USPAP, [2018] 2020 Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at www.appraisalfoundation.org. This rule does not incorporate any subsequent amendments or additions to the USPAP. The amount of education and experience credit available from a case study course will be determined at the time it is approved by the AQB course approval program or by an alternate method established by the AQB.

AUTHORITY: section 339.509(3) and (4), RSMo 2016. Original rule filed Nov. 21, 2006, effective July 30, 2007. For intervening history, please consult the Code of State Regulations. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies

or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to reacomm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 8—Continuing Education**

PROPOSED AMENDMENT

20 CSR 2245-8.010 Requirements. The commission is amending section (11).

PURPOSE: This amendment changes the version of the *Uniform Standards of Professional Appraisal Practice (USPAP)* that real estate appraisers are required to adhere to pursuant to section 339.535, RSMo.

(11) All licensees of the state of Missouri shall complete, for continuing education credit, the seven- (7-) hour national *Uniform Standards of Professional Appraisal Practice (USPAP)* update course or its equivalent during each renewal cycle. The USPAP, [2018] 2020 Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at www.appraisalfoundation.org. This rule does not incorporate any subsequent amendments or additions to the USPAP.

AUTHORITY: sections 339.509 and 339.530, RSMo 2016. This rule originally filed as 4 CSR 245-8.010. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For intervening history, please consult the **Code of State Regulations**. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to reacomm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 8—Continuing Education**

PROPOSED AMENDMENT

20 CSR 2245-8.030 Instructor Approval. The commission is amending section (4).

PURPOSE: This amendment changes the version of the *Uniform Standards of Professional Appraisal Practice (USPAP)* that real estate appraisers are required to adhere to pursuant to section 339.535, RSMo.

(4) All instructors of the national *Uniform Standards of Professional Appraisal Practice (USPAP)* course, the national USPAP update course, or their equivalents shall be approved through the instructor certification program of the Appraisal Qualifications Board (AQB) or by an alternate method established by the AQB. The USPAP, [2018] 2020 Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at www.appraisalfoundation.org. This rule does not incorporate any subsequent amendments or additions to the USPAP. At least one (1) instructor of the national USPAP course and the national USPAP update course shall be a state-certified appraiser and shall be approved through the AQB instructor certification program.

AUTHORITY: sections 339.509 and 339.530, RSMo 2016. This rule originally filed as 4 CSR 245-8.030. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For intervening history, please consult the **Code of State Regulations**. Amended: Filed June 12, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to reacomm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-60.020 Application for Annual Fire Safety and Health and Sanitation Inspections and Inspection Procedures is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 925-926). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 60—License-Exempt Child Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior

Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-60.050 Staffing Requirements is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 926-927). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received three (3) comments, all from parents or caregivers associated with Millersburg Preschool Parent Co-Op.

COMMENTS #1 - #3: All three (3) comments received on this amendment suggest that the requirement for comprehensive fingerprint background screenings is prohibitive to Millersburg Preschool Parent Co-Op, a nursery school that is made up almost entirely of volunteers related to the enrolled children. The suggested correction to this was to allow nursery schools who do not receive federal or state funding to be exempt from the fingerprinting requirement.

RESPONSE: The requirements for who must comply with the comprehensive background screening are provided by statute in section 210.1080, RSMo. The only exemption provided in the statute is found in section 210.1080.9(1), which states:

“The provisions of this section shall not apply to any child care facility, as defined in section 210.201, maintained or operated under the exclusive control of a religious organization, as described in subdivision (5) of subsection 1 of section 210.211, unless such facility is a recipient of federal funds for providing care for children, except for federal funds for those programs that meet the requirements for participation in the Child and Adult Care Food Program under 42 U.S.C. Section 1766.”

Nursery schools such as Millersburg Preschool Parent Co-Op do not fall within this exemption so the suggested change would violate section 210.1080, RSMo. No changes were made as a result of these comments.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family Day Care Homes**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-61.025 Organization and Administration is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 927-928). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family Day Care Homes**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-61.045 Initial Licensing Information is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 928-930). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family Day Care Homes**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-61.055 License Renewal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 930-931). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family Day Care Homes**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-61.105 The Day Care Provider and Other Day Care Personnel is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 931-934). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family Day Care Homes**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-61.210 Records and Reports is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 934-935). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care
Homes and Child Care Centers**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-62.032 Organization and Administration is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 935). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care
Homes and Child Care Centers**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-62.042 Initial Licensing Information is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 935-938). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-62.052 License Renewal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 938-939). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received two (2) comments on this amendment from Karen Werner, on behalf of the Missouri Association of Child Care Providers, and Julie Schmitz, owner of Show-Me Child Care.

COMMENTS #1 and #2: Both Ms. Werner and Ms. Schmitz suggest that the requirement to conduct Family Care Safety Registry screenings be extended to no more than ninety (90) days prior to the expiration of the license rather than the current language of “no more than sixty (60) days prior to the expiration of the license” because the current language may make it difficult for providers to receive results and have them on file in time for their renewal inspection.

RESPONSE: Most results to Family Care Safety Registry screenings are received via email the same day, with others taking an additional 1–5 days. It is rare that results take longer than 5 days to be received. Because the requirement is that these screenings be on file prior to the expiration of the license rather than at the time of the announced renewal inspection, which may be rescheduled if necessary, the department does not believe this creates an undue burden on providers. No changes were made as a result of this comment.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-62.102 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 939-942). No changes have been made to the text of the proposed amendment, however the private fiscal cost has been revised. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received forty-four (44) comments from Karen Werner, on behalf of the Missouri Association of Child Care Providers, Johnnie Brown, on behalf of Missouri Care, Julie

Schmitz, on behalf of Show-Me Child Care, and approximately 403 signatures submitted by Karen Werner, on behalf of the Missouri Association of Child Care Providers.

COMMENT #1: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that rewording of the purpose statement of this rule was not necessary.

RESPONSE: No changes were made as a result of this comment.

COMMENT #2: Johnnie Brown, on behalf of Missouri Care, commented, “The amount of time requested for documentation by center director, is time taken away from direct care of children and/or staff support. Many providers go above and beyond. If facility documentation is needed, apply these amendments to those centers. State wide documentation as suggested in these amendments is not reflecting improved quality care for Missouri.”

RESPONSE: It is unclear if Ms. Brown believes these amendments should apply to the centers who are going “above and beyond” or those who are not. Regardless, the department believes these documentation requirements encourage more proactive enforcement of licensing requirements and will improve child care and safety. No changes were made as a result of this comment.

COMMENT #3: Debbie Wren commented that the added facility orientation requirement in subsection (1)(J) penalizes those facilities that already doing a great job training; that every facility is different and trains staff differently; and that private business should have the right to train staff as they feel necessary.

RESPONSE: The language in subsection (1)(J) only covers general topics that should be included in a facility orientation – the format and depth of that orientation, as well as whether additional topics are covered, is up to the individual provider and would be expected to vary by facility. No changes were made as a result of this comment.

COMMENT #4: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that completion of the proposed subsection (1)(J) requirements within the first seven days and prior to staff being left alone with children is not realistic and is unnecessary red tape.

RESPONSE: No changes were made as a result of this comment.

COMMENT #5: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the proposed facility orientation which is to be completed within seven days for all new staff is not necessary because the items in the orientation are already addressed elsewhere in current regulations, including the requirement in 19 CSR 30-62.182(1)(A)1. that “caregivers shall not leave any child without competent adult supervision.”

RESPONSE: Completing the orientation will help providers proactively ensure that adult supervision of the children in their care is competent. No changes were made as a result of this comment.

COMMENT #6: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the requirement for new staff to complete the facility orientation before being left alone with a child “would create a financial burden and in the industry of child care, with significant turnover rates, this is an impossible risk.”

RESPONSE: This comment is contradictory to Ms. Werner’s comment that the facility orientation is redundant of already existing requirements for providers. Further, non-compliance with regulations, especially leaving children without competent adult supervision, creates risks to child safety that should outweigh any burden a caregiver might face from having to include this orientation in their onboarding process. No changes were made as a result of this comment.

COMMENT #7: Karen Werner, on behalf of the Missouri

Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.A. [which includes a review of the licensing rules in the facility orientation] is redundant of the language in the rule's current and proposed subsection (1)(H), which requires: "The provider shall have available a copy of the Licensing Rules for Group Day Care Homes and Child Care Centers in Missouri. All caregivers and volunteers working directly with children shall be required to review and be knowledgeable of the rules at the time they begin work and shall be able to understand and apply those rules which relate to their respective responsibilities."

RESPONSE: Because caregivers should have already reviewed these rules, an in-depth review should not be necessary for the facility orientation. Providers could use the orientation to simply verify that caregivers have reviewed and are knowledgeable of the rule, to go over "those rules which relate to their respective responsibilities," or answer any questions the caregiver may have from their review of the rules. The depth of the facility orientation is up to the provider's discretion and will vary from facility to facility. No changes were made as a result of this comment.

COMMENT #8: Julie Schmitz, on behalf of Show-Me Child Care, and Karen Werner, on behalf of the Missouri Association of Child Care Providers commented regarding proposed subparagraph (1)(J)2.A., if the proposed regulation [including a review of the licensing rules in the facility orientation] is approved, licensing books need to be provided up on request to providers.

RESPONSE: Current versions of the Missouri Code of State Regulations are available online through the Missouri Secretary of State's website. The PDF copies available there may be printed or downloaded. No changes were made as a result of this comment.

COMMENT #9: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.B. [including review of the facility's license and its limitations, if any, in the facility orientation] is redundant of the current language in 19 CSR 30-62.042(3)(X) (proposed section 62.042(2)(W)), which states: "All day care provided on the premises of a licensed facility shall be in compliance with the licensing rules and the conditions specified on the license."

RESPONSE: A review of the facility's one-page license helps proactively ensure that caregivers are aware of the conditions under which they are to provide care, as limitations such as the numbers and ages of children in care, the maximum number of infants and toddlers allowed, and the times care can be provided varies from facility to facility. No changes were made as a result of this comment.

COMMENT #10: Julie Schmitz, on behalf of Show-Me Child Care, commented regarding subparagraph (1)(J)2.C., recommending definitions be added for "discipline" and "guidance policies."

RESPONSE: 19 CSR 30-62.010 Definitions is not being amended at this time. No changes were made as a result of this comment.

COMMENT #11: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.C. [including review of the facility's written child care practices, including procedures for medication administration, child illness, discipline, and guidance policies, as part of the facility orientation] is redundant of the language in:

19 CSR 30-62.042(3)(D)3. and 7. (proposed sections 62.042(2)(D)3. and 7.

"Prior to the granting of a license, the following shall be submitted by the applicant ... written policies pertaining to the program goals, admission, care and discharge of children ... a written narrative description of child care practices and concepts, including discipline and guidance policies."

- 19 CSR 30-62.192(1)
 - "The provider shall report to the local health department if any child in the facility is suspected of having a reportable disease...

In the event of an outbreak of a communicable disease in the facility, caregivers shall implement control measures ..."

- 19 CSR 30-62.192 (2)(A)-(H)
 - These sections relate to "The Ill Child" and cover identifying illness and parental notification.
- 19 CSR 30-62.192 (3)(A)-(I)
 - These sections relate to "Medication" and cover minimum requirements for administering and storing medication.
- 19 CSR 30-62.182(1)(C)1.-11.
 - These sections relate to "Discipline" and cover the general requirements for a facility's discipline methods.

RESPONSE: The requirements in these existing sections set the minimum standards a facility must meet to be in compliance regarding its child care practices; they are not necessarily the facility's actual "written child care practices," which may be more detailed. No changes were made as a result of this comment.

COMMENT #12: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.D. [including review of the daily schedule as part of the facility orientation] is redundant of the language in:

- 19 CSR 30-62.182(2)(A)-(C)
 - These sections relate to "Daily Activities of Children" and cover minimum requirements for a facility's daily schedule and activities.
- 19 CSR 30-62.042(3)(D)4. (proposed section 62.042(2)(D)4.)
 - "Prior to the granting of a license, the following shall be submitted by the applicant: ... A schedule of daily activities for each age group in care (infant/toddler, preschool and school-age)"

RESPONSE: The requirements in these existing sections set the minimum standards a facility must meet to be in compliance regarding its daily schedule, they are not the facility's actual "daily schedule." No changes were made as a result of this comment.

COMMENT #13: Julie Schmitz, on behalf of Show-Me Child Care, sought clarification regarding subparagraph (1)(J)2.E. [including review of the assigned duties and responsibilities of staff as part of the facility orientation], specifically, do the "assigned duties and responsibilities of staff" to be covered in the orientation include just the individual staff member, or all duties and responsibilities.

RESPONSE: The language in subsection (1)(J) only covers general topics that should be included in a facility orientation – the format and depth of that orientation is up the individual provider and would be expected to vary by facility. No changes were made as a result of this comment.

COMMENT #14: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.E. [including review of the assigned duties and responsibilities of staff as part of the facility orientation] is redundant of the language in (both current and proposed) section 19 CSR 30-62.102(1)(D), which requires that "caregivers shall be capable of carrying out assigned responsibilities and shall be willing and able to accept training and supervision."

RESPONSE: Reviewing the assigned duties and responsibilities helps proactively ensure that caregivers are capable of carrying out those responsibilities. No changes were made as a result of this comment.

COMMENT #15: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.F. [including review of the names and ages of the children for whom the staff member will be responsible, including any special health, nutritional or developmental needs in the facility orientation] is redundant of the language in:

- 19 CSR 30-62.102(1)(E)
 - "Caregivers shall have knowledge of the needs of children and

shall be sensitive to the capabilities, interests, and problems of children in care.”

- 19 CSR 30-62.202(2)(B)

- “The written diet plan for each infant/toddler shall be followed. The parent(s) shall update the plan according to the individual needs of the child until they grant permission in writing for the child to eat table foods.”

- 19 CSR 30-62.132(6)

- “A child who has a special physical, developmental or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source.”

- 19 CSR 30-62.222(4)(A)-(D) (proposed section 62.222(3)(A)-(D))

- These sections describe what health information shall be retained in each child’s individual file.

RESPONSE: The requirements in these existing sections set the minimum standards a facility must meet to be in compliance regarding the basic needs of individual children; they do not provide a way for the provider to ensure each caregiver is knowledgeable of these things for the children that care giver will be responsible for every day. By reviewing this information during the facility orientation, providers are proactive in ensuring their care givers are aware of the unique needs of all children in their care. No changes were made as a result of this comment.

COMMENT #16: Julie Schmitz, on behalf of Show-Me Child Care, commented regarding subparagraph (1)(J)2.F., that documenting this requirement (that staff are orientated on “the names and ages of the children for whom the staff member will be responsible, including any special health , nutritional or developmental needs”) does not improve quality of care because it is an ongoing process.

RESPONSE: The language in subsection (1)(J) only covers general topics that should be included in a facility orientation for new staff – how a provider chooses to continue to ensure that its caregivers are competent and capable is up to the individual provider and would be expected to vary by facility. No changes were made as a result of this comment.

COMMENT #17: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraphs (1)(J)2.E.-F. should be removed because it is common practice in the child care industry to employ “floater staff who relieve staff members during breaks” and “substitutes to fill in when staff have a day off.” Ms. Werner comments that it is “unrealistic that these floaters and substitutes have knowledge of each of these items for every class”; that “there is a high frequency of class changes due to new enrollment, class shifts, sum/school year, and many other factors.”

RESPONSE: The language in (1)(J) only covers general topics that should be included in a facility orientation for new staff – how a provider chooses to continue to ensure that its caregivers are competent and capable based on day-to-day changes in the facility is up to the individual provider and would be expected to vary by facility. No changes were made as a result of this comment.

COMMENT #18: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.H. [including review of the facility’s safe sleep policy, if applicable, as part of the facility orientation] is redundant of language in 19 CSR 30-62.132(2)(A)&(B), which detail the minimum requirements for a provider’s safe sleep policy.

RESPONSE: By including review of the facility’s safe sleep policy in the facility orientation, providers can be proactive in ensuring their care givers understand safe sleep. This is important since unsafe sleep practices are the leading cause of accidental death in infants. No changes were made as a result of this comment.

COMMENT #19: Karen Werner, on behalf of the Missouri

Association of Child Care Providers, commented that the language in proposed subparagraphs (1)(J)2.G.&I. [including review of the location of children’s records and the facility’s disaster emergency plan and the location of emergency information as part of the facility orientation] is redundant of language in:

- 19 CSR 30-62.090(1)(A)1.-4.

- These sections detail the minimum components of those policies and procedures which the facility shall develop, implement, and maintain for responding to a disaster emergency.

- 19 CSR 30-62.090 (1)(C)1.-5.

- These sections detail the minimum components of the disaster and emergency plan, including which staff members shall be responsible for implementing the plan.

- 19 CSR 30-62.082(2)(A)11.

- Telephone numbers for the police, fire department, ambulance and other emergency telephone numbers shall be posted near the telephone.

RESPONSE: The requirements in these existing sections set the minimum standards a facility must meet to be in compliance regarding its emergency plan and procedures, however the actual plans and procedures will vary between facilities, as will the location of children’s records. Reviewing these specific plans, procedures, and practices for the individual facility as part of the facility orientation allows providers to proactive ensure their care givers are prepared for an emergency situation that could arise at any time. No changes were made as a result of this comment.

COMMENT #20: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subparagraph (1)(J)2.J. [including review of the mandated responsibility to report any suspected child abuse or neglect to the Children’s Division by phone or online] is redundant of language in current section 19 CSR 30-62.102(1)(J), which states that “all staff shall acquaint themselves with the child abuse and neglect law and shall make a report of an suspected child abuse or neglect ”

RESPONSE: The language in proposed subsection (1)(J) would replace the language in current subsection (1)(J); therefore the language in proposed subparagraph (1)(J)2.J. is necessary to ensure care givers are still familiar with mandatory reporting requirements. No changes were made as a result of this comment.

COMMENT #21: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subsections (1)(J) and (1)(K) should be eliminated.

RESPONSE: No changes were made as a result of this comment.

COMMENT #22: Karen Werner, on behalf of the Missouri Association of Child Care Providers, sought clarification regarding proposed paragraph (1)(L)3. related to the background screening process as they apply to both providers and the department.

RESPONSE: The department has more in-depth information about the Background Check Process available on its website, at <https://health.mo.gov/safety/childcare/background-check-process.php>. This comment will be further addressed in the Order of Rulemaking for 19 CSR 30-63.020. No changes were made as a result of this comment.

COMMENT #23: Julie Schmitz, on behalf of Show-Me Child Care, commented regarding paragraph (1)(L)3., that the language “Provider shall request the results of a criminal background check for child care staff members ” is too vague and the department should let providers know what this looks like and who to contact.

RESPONSE: The department has more in-depth information about the Background Check Process available on its website, at <https://health.mo.gov/safety/childcare/background-check-process.php>. No changes were made as a result of this comment.

COMMENT #24: Karen Werner, on behalf of the Missouri

Association of Child Care Providers, sought clarification regarding proposed subsection (1)(N), specifically that the appeal rights and process should be included in the rule.

RESPONSE: This information can be found in proposed rule 19 CSR 30-63.050. No changes were made as a result of this comment.

COMMENT #25: Julie Schmitz, on behalf of Show-Me Child Care, commented regarding subsection (1)(O), requesting that the Department put a measurable number of days in which centers can expect criminal background checks complete.

RESPONSE: Details regarding criminal background check requirements can be found in proposed rule chapter 19 CSR 30-63 and section 210.1080, RSMo. No changes were made as a result of this comment.

COMMENT #26: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subsection (3)(A) ["... Clock hour training shall be approved by the department."] is redundant of current regulation 19 CSR 30-62.102(3)(A) ["... in training which is approved by the department."]

RESPONSE: The proposed language would replace the current rule language. No changes were made as a result of this comment.

COMMENT #27: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subsection (3)(B) ["A clock hour shall be a minimum of one (1) hour."] is redundant of current regulation 19 CSR 30-62.102(3)(A) ["... at least twelve (12) clock hours of training ..."].

RESPONSE: The proposed language defines a clock hour. No changes were made as a result of this comment.

COMMENT #28: Julie Schmitz, on behalf of Show-Me Child Care, commented regarding subsection (3)(A), that "clock hour training shall be approved by the department" be removed and, instead, give directors an option to submit completed certificates to OPEN.

RESPONSE: The language that trainings be approved by the department has been part of this rule since at least 1999. No changes were made as a result of this comment.

COMMENT #29: Julie Schmitz, on behalf of Show-Me Child Care, and Karen Werner, on behalf of the Missouri Association of Child Care Providers sought clarification regarding subsection (3)(C), specifically, "Does summer help need the three hours for their specific months of employment of 12?"

RESPONSE: This will vary based on the employment practices of the provider. No changes were made as a result of this comment.

COMMENT #30: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subsection (3)(E) requiring clock hour training to "meet at least one (1) of the eight (8) Content Areas" is restrictive and takes away the right for providers to have ultimate responsibility for making and implementing decisions regarding the operation of the facility.

RESPONSE: The eight content areas were previously outlined less formally in subsection (3)(A) of this rule and have been included in this rule since at least 1999. No changes were made as a result of this comment.

COMMENT #31: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subsection (3)(E) of the rule limits options for training to only those trainers who are a part of the Kansas/OPEN approved trainer-registry and that "a streamlined approach to all programs having the same trainings will lead to more similarity in programs and less diversity."

RESPONSE: The language in this proposed section only outlines

those areas that the clock hours of training to be counted toward the annual minimum requirement must satisfy - a requirement which has been in place since at least 1999 - and offers a streamlined method for *recording and tracking* caregiver training. This allows the department to ensure caregivers receive quality training and saves time at inspections because the department can verify online if caregivers are meeting their training requirements rather than having to search paper files at the facility during an inspection. The 7,300+ available approved trainings can still be found through the Missouri Workshop Calendar. Providers who wish to attend a training that has not previously been approved by the department can request that the training be approved. In the event that the training does not meet one of the Core Competencies or is otherwise unable to be approved by the department, the provider is still free to choose to attend or not attend at their discretion. Minimum standards for training is a concept seen in several industries, including child care. No changes were made as a result of this comment.

COMMENT #32: Julie Schmitz, on behalf of Show-Me Child Care, sought clarification regarding subsection (3)(E), specifically explanation of the phrase "this rule does not incorporate any subsequent amendments or additions."

RESPONSE: This language clarifies which version of the *Core Competencies for Early Childhood and Youth Development Professionals (Kansas and Missouri)* should be referenced. No changes were made as a result of this comment.

COMMENT #33: Julie Schmitz, on behalf of Show-Me Child Care, commented regarding subsection (3)(F), asking that providers be allowed to submit completed training certificates to OPEN; that requiring an MOPD registration is understandable, but that "restricting our choices in staff training topics will guide programs to complete non-helpful, non-meaningful hours."

RESPONSE: The language in section (3) provides guidelines to meet the minimum requirements for staff training. Providers may seek department approval of desired training if that training has not already been department approved. To the extent that the training is not department approved, providers may still choose to attend the training at their discretion. No changes were made as a result of this comment.

COMMENT #34: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subsection (3)(F) is redundant of language in current subsection (3)(B), and the "training approval identification code" requirement should be removed.

- Current section 62.102(3)(B) - "All training shall be documented with the dates, the number of hours of training completed, the title subject, and the name of the individual(s) who conducted the training..."

- Proposed section 62.102(3)(F) - "Training shall be documented with the dates, the individual participant's name, the number of hours of training completed, the title of the training, training approval identification code, and the name of the trainer(s)."

RESPONSE: The proposed language replaces the current language. No changes were made as a result of this comment.

COMMENT #35: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed paragraph (3)(F)1. ["Caregivers shall obtain a Missouri Professional Development Identification (MOPD ID) number ..."] causes concern "with requiring our staff to enter private personal data (such as how much money they make, how many hours they work, and when they began work) into a system that is not run by DHSS or any state agency. This personal information is required to get a MOPID; a MOPID is required to sign up for and track required training hours. This voids our personal data protection policies in place for our business."

RESPONSE: The required information to obtain an MOPD ID includes only the legal first name, legal last name, date of birth, and last five digits of the social security number. This system is administered by the University of Missouri OPEN Initiative Center for Family Policy & Research. The approximately 62% of licensed Missouri Child Care Centers and approximately 55% of licensed Missouri Group Child Care Homes, including members of the Missouri Association of Child Care Providers, who participate in the Department of Social Services' Child Care Subsidy Program are already required to use the MOPD ID system. No changes were made as a result of this comment.

COMMENT #36: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed paragraph (3)(F)2. ["All clock hour training records shall be recorded in the Missouri Professional Development Registry (MOPD Registry)..."] compromises staff privacy and is unreasonable for providers in rural areas without internet.

RESPONSE: No changes were made as a result of this comment.

COMMENT #37: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed paragraph (3)(G)5., ["College coursework does not include clock hour trainings or CEUs taken from a college."] will eliminate many of the current training resources.

RESPONSE: The rule does exclude clock hour trainings or CEUs taken from a college from being approved; it states that "Clock hour training provided through colleges, such as a continuing education program or an extension office, shall follow the procedures for clock hour training approval." No changes were made as a result of this comment.

COMMENT #38: Karen Werner, on behalf of the Missouri Association of Child Care Providers, sought clarification regarding the language in proposed paragraph (3)(G)6., specifically "college coursework shall be documented by a transcript," asking if the transcript needed to be an official copy rather than an online printout. Ms. Werener also commented that if an official transcript is required, it will add another cost to the provider.

RESPONSE: Subparagraph (2)(B)1.G. of this rule, which has been in rule since at least 1999, states that "any college transcript used for verification of education must be an official transcript bearing the seal of the college or university." No changes were made as a result of this comment.

COMMENT #39: Julie Schmitz, on behalf of Show-Me Child Care, and Karen Werner, on behalf of the Missouri Association of Child Care Providers, sought clarification regarding subsection (3)(H), specifically, how does completion of CDA or YDC give employees only 12 clock hours?

RESPONSE: Completion of a CDA or YDC shall count for twelve (12) clock hours for the year the credential was awarded – satisfying the twelve (12) hour training requirement for that year. No changes were made as a result of this comment.

COMMENT #40: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that the language in proposed subsection (3)(K), specifically, "Caregivers shall submit the *Clock Hour Training Credit Reassignment* form to the OPEN Initiative to assign clock hours to the appropriate year," is a time consuming process that duplicates a process that facility directors can more easily do on their own.

RESPONSE: This process creates efficiencies in compliance monitoring. No changes were made as a result of this comment.

COMMENT #41: Julie Schmitz, on behalf of Show-Me Child Care, commented that the department should have included a fiscal note for this rule and claims that the requirements under subsections (1)(J),

(1)(O), and (3)(F) of this rule will add a costs in excess of \$22,000 per year to Show-Me Child Care. Karen Werner, on behalf of the Missouri Association of Child Care Providers, submitted a similar comment, that these requirements will cost a facility in excess of \$39,000 per year.

RESPONSE AND EXPLANATION OF CHANGE: The department did not include a fiscal note with this rule because it does not believe the proposed changes create an additional cost to facilities. The proposed changes only clarify or elaborate on previous requirements. As mentioned in several responses above, the facility orientation items speak to currently existing requirements and ensures compliance with those requirements by making sure care givers are trained on those practices in their specific facilities. The changes related to MOPD ID are minimal and are putting into rule practices that a majority of providers already meet as part of their Child Care Subsidy Program participation. Please see the attached private fiscal note for a more detailed analysis as it relates to sections (1)(J) and (3)(F). The alleged costs under (1)(O) related to the background check requirements and will be addressed as a comment to 19 CSR 30-63.020. No public cost has been revised.

COMMENT #42: Johnnie Brown, on behalf of Missouri Care, commented, that additional inspection time will be required by DHSS inspectors to review proposed amendment documentation, increasing the public cost.

RESPONSE: Many of the rule amendments, especially those related to use of the MOPD ID and OPEN System to better track training requirements, will improve efficiency by lessening the time needed during inspections to review staff files for training compliance. The department does not anticipate needing any additional staff to meet inspection requirements. No changes were made as a result of this comment.

COMMENT #43: Johnnie Brown, on behalf of Missouri Care, commented, that additional documentation related to the facility orientation and MOPD ID will increase time and fiscal resources to be in compliance, in excess of \$500.00 for child care providers.

RESPONSE: The department believes that the facility orientation proactively ensures compliance with many of those rules noted in the comments above that already existed. Further, the majority of providers already use the MOPD ID system as a requirement of their child care subsidy contracts with Department of Social Services. Therefore, the department disagrees that this rule would actually have any additional cost to providers. No changes were made as a result of this comment.

COMMENT #44: The department received approximately 505 signatures from the Missouri Association of Child Care Providers, under the heading paragraph: "The signatures below, in cooperation with Missouri state licensed childcare facilities, parents, and Missouri associations, have concerns with the DHSS proposed amendments and their financial impact on the centers and trickle down to families. These signatures are in opposition to 19 CSR 30-62.102. Only changes needed should be limited to requirements related to background screenings that are in the emergency rules.

RESPONSE: No changes were made as a result of this comment.

19 CSR 30-62.102 Personnel

REVISED PRIVATE COST: The cost to private entities may range from zero to twenty-two thousand seven hundred ninety-two dollars and fifty cents (\$0 - \$22,792.50).

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 19 - Department of Health and Senior Services
- Division Title:** Division 30 - Division of Regulation and Licensure
- Chapter Title:** Chapter 62 – Licensing Rules for Group Child Care Homes and Day Care Centers

Rule Number and Title:	19 CSR 30-62.102 Personnel
Type of Rulemaking:	Order of Rulemaking

II. SUMMARY OF FISCAL IMPACT

Estimated Facility Orientation Cost per New Child Care Staff Member	Estimated number of New Child Care Staff in Missouri Annually	Total Estimated Cost of Facility Orientation across Missouri Annually*	Estimated Percentage of Facilities Incurring New Training Cost	Adjusted Estimated Cost of Facility Orientation across Missouri Annually
\$57.65	4,942	\$284,906.30	8%	\$22,792.50

*This cost implies an assumption that facilities were not already training new staff on the areas outlined in the Facility Orientation section of the rule. As explained below, the Department does not believe this is an accurate assumption and therefore this cost would not be an additional cost assumed by the majority of child care providers, but a cost they already incur in their typical onboarding process.

III. WORKSHEET

Estimated New Child Care Staff (needing orientation) in Missouri Annually	
Est. Child Care Center Staff in Missouri	16,126
Est. Group Child Care Home Staff in Missouri	347
Total	16,473
Est. Annual Turnover of 30%	30%
Total "New Staff" to Orient Annually	4,942

Methodology: Child Care Center Staff + Group Child Care Home Staff = Total * Annual Turnover Percentage = Total "New Staff" to Orient Annually

Estimated Cost of Orientation per New Child Care Staff Member				
Orientation Topic	Time Estimate (hrs)	Average hourly wage of Missouri Child Care Worker	Unemployment, Social Security, Payroll Taxes, and Workers' Comp	Total Cost of Orientation Topic per Child Care Worker
1. Tour of Facility (inside and out)	0.50	\$12.32	17%	\$7.21
2.A. Licensing Rules	0.25	\$12.32	17%	\$3.60
2.B. License and Limitations	0.08	\$12.32	17%	\$1.20
2.C. Facility's Written Practices	1.00	\$12.32	17%	\$14.41
2.D. Daily Schedule	0.17	\$12.32	17%	\$2.40
2.E. Staff Duties/Responsibilities	0.50	\$12.32	17%	\$7.21
2.F. Details of Children in Care	0.50	\$12.32	17%	\$7.21
2.G. Location of Children's Records	0.08	\$12.32	17%	\$1.20
2.H. Safe Sleep Policy	0.17	\$12.32	17%	\$2.40
2.I. Emergency Plan/Information	0.50	\$12.32	17%	\$7.21
2.J. Mandated Reporting	0.25	\$12.32	17%	\$3.60
TOTALS	4.00			\$57.65

Methodology: Time Estimate * (Average hourly wage + Employer Expenses) = Total Cost of Orientation per Child Care Worker

Annual Cost Estimate to Orient New Child Care Staff Members Statewide	
Total New Staff	4,942
Cost per New Staff Member	\$57.65
Total	\$284,906.30
Estimated Facilities Incurring New Cost	8%
Public Cost	\$22,792.50

Methodology: Total New Staff x Cost per New Staff Member = Total * Estimated Facilities Incurring New Cost = Public Cost

IV. ASSUMPTIONS

1. The estimated number of child care staff workers is the same as the number estimated in the private fiscal note for 19 CSR 30-63.020 General Requirements (of Child Care Comprehensive Background Screening).
2. The annual turnover rate of 30% comes from comments submitted by child care providers.
3. The average wage comes from the 2017 average wage for Child Care Workers in Missouri available from the Missouri Department of Economic Development (\$10.98) plus estimated

inflation. No additions were made to this number for items such as 401k contributions or other fringe benefits because those are not an industry standard for child care workers.

4. Time Estimates for Orientation Topics are estimated by the Department of Health and Senior Services for the minimum amount of time necessary to orient staff to the basic items they need to know to be able to provide competent care of children. The level of detail provided at the facility orientations will vary from facility to facility based on a variety of factors (facility size, specialized needs of children in care, provider preference, etc.).
5. The time estimates only include one staff member (the new staff member being oriented) as these orientations would be part of the facility Director or provider's typical onboarding process and would not require additional time on the part of the staff member providing the orientation. The only additional staff cost comes from the fact that the new staff member being oriented would not be actively involved in the care of children during this orientation. While the provider has seven days to orient the new staff member, it is further assumed that this process would be done on the staff member's first day along with other onboarding practices.
6. As is outlined throughout the comments and responses for this rule, the topics in the facility orientation support compliance with other rules already in place. While there are already rules about what types of policies and records a provider must minimally keep, the facility orientation ensures that new staff know where to find this information as it relates to their specific facility. The DHSS Section for Child Care Regulation assumes, based on the number of annual citations of those existing rules, that the vast majority of providers (approximately 92%) are meeting the current standards and remain in compliance through proper staff training. For those approximately 8% of providers who struggle to maintain compliance, this new regulation provides a proactive framework. While those providers who were not including these topics as part of their general onboarding already will incur an additional cost in doing so, the DHSS Section for Child Care Regulation considers this "additional cost" as one they should have been incurring all along to ensure compliance with other licensing rules. It was based on this assumption that a fiscal note was not initially provided for this rule, as the cost attributable to this rule would be \$0.00.
7. No additional costs are added as a result of the MOPD ID related portions of the rule because this process is already a requirement for the majority of providers in Missouri, though through the Department of Social Services. For those providers not already participating, setup and record keeping time is felt to be negligible compared to current practices.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care Homes and Child Care Centers

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.221, RSMo 2016, the department amends a rule as follows:

19 CSR 30-62.222 Records and Reports is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2019 (44 MoReg 942-943). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received two (2) comments on this amendment from Karen Werner, on behalf of the Missouri Association of Child Care Providers.

COMMENT #1: Ms. Werner suggests that the requirement that “written parental authorization for medications and a record of medications administered” that subsection (3)(A) of this rule would require to be retained in each child’s individual file is redundant of 19 CSR 30-62.192(3)(B), which requires that “All medication shall be given to a child only with the dated, written permission of the parent(s) stating the length of time medication may be given.”

RESPONSE: The previous version of this rule required that parental authorization for medication and a record of medications administered be retained in each child’s individual file (previously section (4)(B)); the word “written” was added in the amendment to clarify that oral permission and recollection of medication administration is not sufficient. This rule is not redundant with 19 CSR 30-62.192(3)(B), because that rule covers the specific requirements of a provider as related to health care, whereas this rule covers the specific requirements of a provider as related to required record-keeping. Though the rules may overlap, they are distinct from one another. No changes were made as a result of this comment.

COMMENT #2: Ms. Werner suggest that the requirement that the “provider shall maintain a written record at the facility for fire and disaster drills” that section (8) of this rule would require is redundant of 19 CSR 30-62.087(2)(F) which details the general requirements for fire and disaster drills, including that a written record of such drill be maintained.

RESPONSE: The previous version of this rule also contained the requirement that the provider maintain “a written record at the facility for fire and disaster drills” (previously subsection (10)(A)). This rule is not redundant with 19 CSR 30-62.192(3)(B), because that rule covers the specific requirements of a provider as related to fire and disaster drills as a component of fire safety, whereas this rule covers the specific requirements of a provider as related to required record-keeping. Though the rules may overlap, they are distinct from one another. No changes were made as a result of this comment.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 63—Child Care Comprehensive Background Screening

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior

Services under section 210.1080, RSMo Supp. 2018, the department adopts a rule as follows:

19 CSR 30-63.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2019 (44 MoReg 943-944). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received one (1) comment, from Jennifer Crouch, as well as a staff comment related to the contents of this rule.

COMMENT #1: Requiring child care owners/directors to complete background screenings in every state where a new hire has lived during the past five years is an unreasonable burden.

RESPONSE: The requirement that the background check include “each state where such staff member resided during the preceding five (5) years” is seen in subsection (3)(C) of this rule, which comes directly from section 210.1080.1(2)(c), RSMo. Section 210.1080 was based on federal requirements for states receiving federal funds related to the Child Care and Development Block Grant (CCDBG). To limit the background check requirements to only Missouri would be inconsistent with section 210.1080, RSMo and 45 CFR 98.43. No changes were made as a result of this comment.

COMMENT #2: Staff comment to correct a typo in section (2) from “child are provider” to “child care provider”.

RESPONSE AND EXPLANATION OF CHANGE: This correction was made.

19 CSR 30-63.010 Definitions

(2) Child care staff member is—a child care provider; persons employed by the child care provider for compensation, including contract employees or self-employed individuals; individuals or volunteers whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider; or individuals residing in a family child care home who are seventeen (17) years of age and older.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 63—Child Care Comprehensive Background Screening

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.1080, RSMo Supp. 2018, the department adopts a rule as follows:

19 CSR 30-63.020 General Requirements is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2019 (44 MoReg 944-949). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received seven (7) comments related to this rule from eight (8) different parties. These comments focused on the time limits

stated within the rule and the costs associated with those time limits.

COMMENTS #1: Breanna Foust commented that she thinks employees should have thirty days from their start date to get fingerprinted.
RESPONSE: Section 210.1080.2(1) requires that the results of the comprehensive background screen should be requested prior to hire. No changes were made as a result of these comments.

COMMENT #2: Jennifer Crouch commented that background checks should be requested within the first 5 days of employment rather than prior to hire.
RESPONSE: Section 210.1080.2(1) requires that the results of the comprehensive background screen should be requested prior to hire. No changes were made as a result of these comments.

COMMENT #3: Kimberly Shinn-Brown and Kerri Newton commented that requiring employees (who are awaiting the results of their comprehensive background check) to be supervised at all times (by those staff who have received a qualifying check) is not feasible unless the results are received within 2 to 5 business days.
RESPONSE: Section 210.1080 provides applicable time frames for this rule. No changes were made as a result of these comments.

COMMENT #4: Amy Gaffney commented that DHSS SCCR should accept a statement from Columbia Public Schools that staff members are cleared.
RESPONSE: Section 210.1080 requires a background check to be reviewed by the Department of Health and Senior Services, so accepting a qualifying result from another agency or entity is not possible at this time. No changes were made as a result of these comments.

COMMENT #5: Amy Gaffney commented that longer deadlines would assist programs with completing the process on time.
RESPONSE: Section 210.1080 provides applicable time frames for this rule. No changes were made as a result of these comments.

COMMENT #6: Johnnie Brown, on behalf of Missouri Care, commented that the public fiscal note should include "additional staff to process and turn around the new criminal background checks in 45 days."
RESPONSE: The public fiscal note included an additional 8 FTE to the DHSS Section for Child Care Regulation to process these background checks. The Department has not received funding to hire these additional staff at this time, but these FTE remain requested. No changes were made as a result of this comment.

COMMENT #7: Karen Werner, on behalf of the Missouri Association of Child Care Providers, and Julie Schmitz, on behalf of Show-Me Child Care, commented that the private cost estimated for this rule is not accurate due to the DHSS Section for Child Care Regulation taking longer than the 45 days prescribed in statute to return background screening results. Their comments are that this increased turn-around time results in additional staff being needed for longer periods of time to supervise care givers until their background screening results are received.
RESPONSE: The DHSS Section for Child Care Regulation recognizes that longer-than-anticipated turn-around times have slowed implementation of section 210.1080. The department anticipated that 8 FTE would be required to meet the 45 day requirement for processing the more than 20,000 requests received at this time; however, no additional FTE were granted for this process. Because it will vary from facility to facility whether or not all facility staff have requested and received their background screening results, providers are being encouraged to talk to their Child Care Facility Specialists about what their facility should do to be considered in compliance at its next inspection, especially if the facility anticipates an upcoming compliance monitoring or renewal inspection. Once the initial bulk of

requests are processed, the monthly demand is expected to decrease, allowing for faster turn-around times of background screening results. The department is also working with other states to develop more efficient information sharing for this process. No changes were made as a result of these comments.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 63—Child Care Comprehensive Background
Screening**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.1080, RSMo Supp. 2018, the department adopts a rule as follows:

**19 CSR 30-63.030 Criminal Background Screening Cost
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2019 (44 MoReg 950). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received four (4) comments related to this rule; all four comments say the cost of the criminal background screening places an undue burden on the child care provider and/or the child care staff member.

COMMENTS #1, #2, and #3: Jennifer Crouch, Kimberly Shinn-Brown, and Kerri Newton commented that the cost of the criminal background check places an undue burden on child care workers, owners, and directors who already earn a low wage. Ms. Crouch and Ms. Newton suggest that "the state should provide funding to help pay for the cost of criminal background checks for child care providers."
RESPONSE: No changes were made as a result of these comments.

COMMENT #4: Karen Werner, on behalf of the Missouri Association of Child Care Providers, commented that "the cost of the criminal background checks for every new staff and every five years thereafter is an excessive financial burden put on the child care providers" and that many child care providers cover the costs of onboarding new employees, including criminal background checks, because the typical prospective employee is not in a position to pay for these costs.
RESPONSE: No changes were made as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 63—Child Care Comprehensive Background
Screening**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.1080, RSMo Supp. 2018, the department adopts a rule as follows:

19 CSR 30-63.040 Background Screening Findings is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2019 (44 MoReg 950). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 63—Child Care Comprehensive Background Screening

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 210.1080, RSMo Supp. 2018, the department adopts a rule as follows:

19 CSR 30-63.050 Process for Appeal Required in Section 210.1080, RSMo **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2019 (44 MoReg 950-951). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 73—Missouri Board of Nursing Home Administrators
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Nursing Home Administrators under section 344.070, RSMo 2016, the board adopts a rule as follows:

19 CSR 73-2.011 Fee Waiver for Military Families and Low-Income Individuals **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1030). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
Division 2015—Acupuncturist Advisory Committee
Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee

under section 324.481, RSMo 2016, the committee amends a rule as follows:

20 CSR 2015-1.030 Fees **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1030-1032). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
Division 2040—Office of Athletics
Chapter 2—Licenses and Permits

ORDER OF RULEMAKING

By the authority vested in the Office of Athletics under section 317.006, RSMo Supp. 2018, the office amends a rule as follows:

20 CSR 2040-2.011 Licenses **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1033). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
Division 2040—Office of Athletics
Chapter 2—Licenses and Permits

ORDER OF RULEMAKING

By the authority vested in the Office of Athletics under section 317.006, RSMo Supp. 2018, the office amends a rule as follows:

20 CSR 2040-2.021 Permits **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1033-1035). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts

ORDER OF RULEMAKING

By the authority vested in the Office of Athletics under section

317.006, RSMo Supp. 2018, the office rescinds a rule as follows:

20 CSR 2040-8.020 Licensing is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1036). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

ORDER OF RULEMAKING

By the authority vested in the Office of Athletics under section 317.006, RSMo Supp. 2018, the office rescinds a rule as follows:

20 CSR 2040-8.030 Event Permits is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1036). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2110—Missouri Dental Board
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Dental Board under section 332.031, RSMo 2016, the board amends a rule as follows:

**20 CSR 2110-2.010 Licensure by Examination—Dentists
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1036-1037). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts
Chapter 2—Licensing of Physicians and Surgeons**

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the

Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-2.080 Physician Licensure Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1037-1039). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts
Chapter 2—Licensing of Physicians and Surgeons**

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

**20 CSR 2150-2.230 Assistant Physician—Continuing Education
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1040). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts
Chapter 2—Licensing of Physicians and Surgeons**

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

**20 CSR 2150-2.240 Assistant Physician Collaborative Practice
Agreements is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1040-1041). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts**

Chapter 2—Licensing of Physicians and Surgeons

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-2.250 Assistant Physician—Collaborative Practice Change Requirements is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1041-1042). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts**

Chapter 2—Licensing of Physicians and Surgeons

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-2.260 Assistant Physician—Certificate of Prescriptive Authority is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1042). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts**

Chapter 5—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-5.100 Collaborative Practice Arrangement with Nurses is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1042-1044). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts**

Chapter 7—Licensing of Physician Assistants

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-7.130 Applicants for Certificate of Controlled Substance Prescriptive Authority is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1044). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts**

Chapter 7—Licensing of Physician Assistants

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2016, the board amends a rule as follows:

20 CSR 2150-7.135 Physician Assistant Supervision Agreements is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1044-1045). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section

335.036, RSMo Supp. 2018, the board amends a rule as follows:

20 CSR 2200-4.200 Collaborative Practice is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1045-1046). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.